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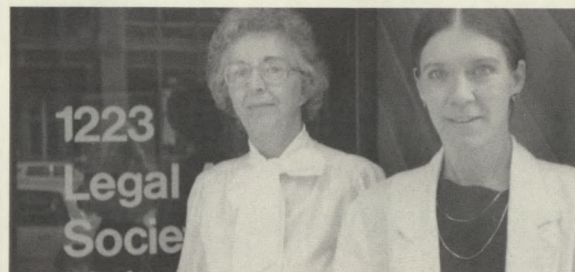
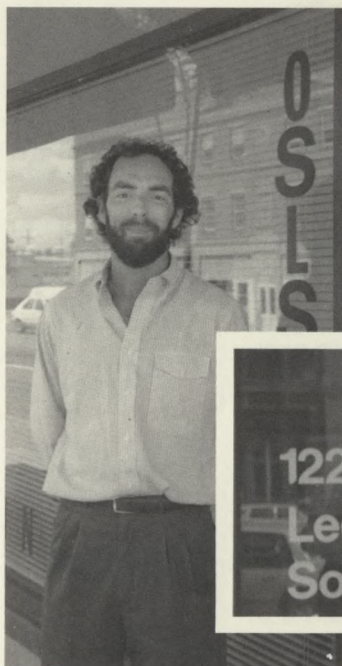
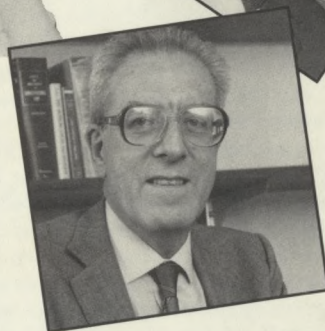
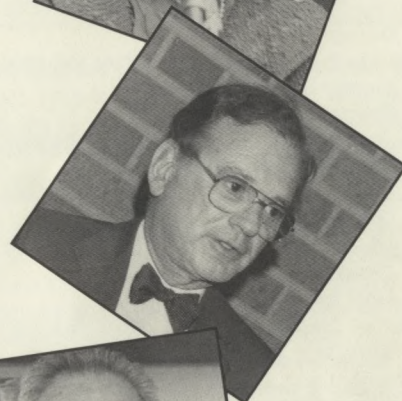
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# in brief



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## in brief

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## Inside this issue...

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1 Professor Bognetti on  
Judicial Review

---

5 Professor Leatherberry on  
Legal Services

---

6 Focus on Legal Services

---

17 Mary Bohurjak Retires

---

20 1988 Law Alumni Weekend

---

33 Visiting Lecturers



# Judicial Review

## An American Institution that has Spread through the World

by Giovanni Bognetti  
Visiting Professor

For the United States, this is a year of a presidential election. Much of future American politics will depend on the man the people choose as president. Among other things, the new president may have to fill one or more vacancies not unlikely to occur in the Supreme Court during the next four years. If so, he will have the opportunity to influence indirectly the course of American jurisprudence and, in particular, the course of constitutional adjudication at a very delicate moment. This raises issues that lie close to the heart of lawyers, although they should obviously concern no less the public at large: the way the Constitution is interpreted by the Supreme Court determines the boundaries of legislative discretion and therefore sets limits on the powers of the representatives of the people, at all levels, to make new laws and to change old ones.

Judicial review—the power of the judicial branch to test the validity of statutes against the principles of a rigid constitution and to declare them, if the case may be, null and void—is, without question, a primarily American institution. It is indeed so much so that for many, even versed in legal matters and with some knowledge of the world, it remains a feature of the American political system that finds no counterpart in other systems. No less a cultural authority than the *Encyclopedia Britannica* in its latest edition still maintains that judicial review represents an exclusive contribution of America to constitutional law: an experience with no equivalent in other countries.

The belief that judicial review is today an institution peculiar to the United States is plainly wrong (and in fact the *Encyclopedia Britannica* in its next edition will carry a more correct description of the situation). The world is becoming in many respects, for good or bad, much more uniform than it was once; and in the field of law the process of amalgamation has already gone, in recent times and in many areas, a long way. At any rate, as far as judicial review is concerned, even leaving out of the picture the early cases of Canada (1867), Switzerland (1874), and Australia (1900), the institution ceased being an exclusive characteristic of the American system around the time of the Second World War if not earlier in the century. Austria adopted judicial review in 1920. Czechoslovakia and Spain tried to imitate her in the 20s and 30s. Immediately after 1945, the three defeated Axis powers gave themselves constitutions in which judicial review was an essential component. India, when it became independent, did the same.

Today in Western Europe some sort of control of the constitutionality of statutes performed by state organs not responsible to the people is at work everywhere, with the only exception of Great Britain. Even Great Britain, however, as a member of the European Economic Community, is subject to the overriding law of the EEC and, as signatory of the European Convention on Human Rights, is subject to the principles stated in that treaty; her statutes must conform to those "higher laws" or be declared invalid respectively by the Community Court or by the European Court at Strasbourg. This last European bastion of unlimited parliamentary sovereignty is therefore beginning to admit that courts' judgments can in certain circumstances prevail over the will of the legislature. In sum, the idea of judicial review has by now become the common patrimony of western political and legal culture. It is

still rejected by the state model obtaining in socialist countries. But in the West it informs the constitutional law of practically all the major states.

To be sure, there are differences between the original model of judicial review—the American—and the imitations. In Europe, for instance, the power to declare statutes unconstitutional does not belong indifferently to any court, but is usually reserved to a special court, the Constitutional Court, to which all constitutional questions must be referred for decision. This has several consequences, some affecting the modalities, some the times, some the effects of constitutional adjudication: a "centralized system" of review cannot operate exactly in the same way as a "decentralized" or "diffuse" one.

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### One of the most fascinating questions a constitutional scholar must face is why judicial review was born in the United States and why it remained confined to that one country for over a century.

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The greatest differences are with the French system. The *Conseil Constitutionnel*, which alone can set aside unconstitutional statutes, can do so only upon petition of nonjudicial agencies and prior to the promulgation of the contested statute. For these reasons, many deny the French system of review the name of *judicial*. Even so, the fact remains that also in France an independent, politically unrepresentative organ can now in the name of the constitution overrule Parliament. In other countries—such as Germany, Italy, Spain, Austria—the judicial features of the review system are unquestionable notwithstanding the fact that a separate Constitutional Court and not a Supreme Court at the apex of the judiciary is competent to pronounce the unconstitutionality of statutes.

The institution of judicial review first materialized in America and is, it must be repeated, an American institution. And yet one of the most fascinating questions a constitutional scholar must face is why judicial review was born in the United States and why it remained confined to that one country for over a century. After all, judicial review seems to incorporate a concept that squares perfectly with the rationalist philosophy originated in continental Europe four centuries ago by Descartes: law as mutable will—legislation—must develop within boundaries set by durable principles of reason, to be defined by judges/philosophers. As an intrinsically Cartesian institution, judicial review might well have first taken root in France, the eighteenth-century land of reason *par excellence*. Among other things, the French *physiocrates* were at the time the first to elaborate, at a theoretical level, a full-fledged justification of the institution. Judicial review could have had, therefore, a French baptism. But it didn't.

The reason it didn't was undoubtedly the Great Revolution, which we rightly celebrate for having eliminated the *ancien régime* but which—to use the words of an American jurist of our times, Alexander Bickel—could perhaps have



done it in a different manner and less expensively. The French Revolution substituted Rousseau for Descartes and elevated sovereignty of the people, along with its derivative majoritarian principle, to the rank of a dogma not susceptible of any tempering. The destiny of public law on the continent was at this point sealed for a very long time. It was the Revolution that taught Europeans distrust of the judiciary and gave them, in the end, the figure of the judge as a career functionary. England, of course, experienced no revolution; but she lay beyond the Channel, and judicial review was too much a product of rationalist thought—too much Tom Paine chastising Edmund Burke—to become a commodity for importation.

A second no less fascinating question is why this institution, after being nurtured only in the American cradle for more than a hundred years, was able in the twentieth century to transplant successfully under so many different skies. If I were Holmesian and believed (as did the justice) that "truth is the majority opinion of the nation that can lick all others," I would be tempted to conclude that the transplanting was the sheer effect of the ascent of the United States to the position of hegemonic power in the world. Holmes was too often right in too many matters to disregard lightly the solid kernel of truth that might be present in a conclusion so congenial to his otherwise too cynical philosophy. The American example did, as a matter of fact, become attractive and become a thing to imitate (with variants) when America achieved the role of the leading nation in the western camp.

And yet this answer, by itself, cannot satisfy. Judicial review has proved workable in civil law as well as in common law systems, in affluent as well as in less rich countries, provided only that a minimum of political stability exists. I tend to think that the institution responds to needs which have deep roots in all of today's western societies. In democratic states based on universal suffrage, legislation is likely to yield to the influence of special

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(partial) interests more easily and more frequently than in times when the suffrage was nowhere truly universal and governmental intervention in societal affairs less extended. On the other hand, it belongs to a central current of western culture in general and not only to American culture, this idea that there are fundamental principles of justice that reason can bring to light and that should be defended even against, if necessary, democratic coalitions of particular interests. Long ago Descartes was set aside in continental Europe, but he was not entirely forgotten and, in a way, he has now come back. The general present acceptance of judicial review is at least in part to be explained—in my opinion—by the desire to save some more permanent values (and in particular values connected with the liberty of the individual) from the vagaries and excesses in which the democratic legislation of our industrialized societies is inevitably bound, at least occasionally, to indulge. Imitation of the powerful United States was a factor; but it was not the only one and, perhaps, not the most important.

If not the only instance of judicial review in the world, the American system of review might be thought, by some

at least, the only one in which a court exercises real political power, and political power of a discretionary nature. This belief, like the other, would be mistaken.

The U.S. Supreme Court must interpret and apply constitutional provisions—such as, for example, the due process and the equal protection clauses—which are highly indeterminate. They allow the Court to read the Constitution in ways reflecting particular political theories and values of its choice and to impose them on the legal system against possibly reluctant majorities in the legislatures or even in the citizenry. As is well known, the Supreme Court has not hesitated, in more than one period of history, to make forceful use of the power it owns.

But the situation of constitutional courts in other countries is not substantially different. The rigid constitutions they are called upon to enforce contain bills of rights—or give constitutional rank to pre-existing bills of rights—which are fraught with indeterminate provisions comparable to the American ones. European courts have had to creatively develop constitutional law more or less in all the areas where in recent times the U.S. Supreme Court has produced its best known, and also most controversial, decisions: freedom of expression, the right to privacy, the rights of the accused, the rights of minorities, the implications of the principle of equality in social matters, and so on. At times the normative basis upon which European courts have rested the law they were developing was a little more specific than the American Constitution. But often that was not the case. And even the problem of the measure to which a court is legitimized to depart from the so-called "original understanding" of the framers and to create new rights—a problem which has divided American scholars and American public opinion in recent years—has not remained unknown to European jurisprudence. The French *Conseil Constitutionnel* must enforce a bill of rights that is older than the American one: the famous Declaration of the Rights of Man of 1789. The bill of rights that the Austrian court must apply dates from 1867. At any rate, the problem has also confronted courts dealing with younger constitutional documents. And in general it has been solved in ways similar to the way adopted in America: at least *de facto*, the intent of the framers has never represented an insuperable barrier to creative interpretation.

The European constitutional courts have by now been at work for several decades. So have also the European Court of Human Rights and the Court of the EEC. Each of them has produced a body of constitutional law—and in particular a body of law concerning the rights of the individual—which can be usefully compared to that of the others and to that which the U.S. Supreme Court has worked out.

The comparison is one of the most stimulating and rewarding endeavors a contemporary jurist can engage in. It yields very interesting results. The western world is today united not only by cultural and political ideals and ties, but by a complex set of legal principles held in common. The constitutional jurisprudences of the several countries I have mentioned seem all to be inspired by fundamentally the same juristic model of state: a model that recognizes civil and political rights according to rigorous liberal democratic principles, adopts the "mixed" system of the economy, and divides and distributes the powers among the different branches of government in ways dictated by the needs of an enlarged, bureaucratic administration. Of course, the model is implemented in the various jurisdictions in different versions, each presenting its own peculiarities. To venture in generalizations is dangerous. But perhaps it is not altogether incorrect to say that American constitutional jurisprudence is more sensitive to those values of the common model that have to do with civil rights, and in particular with freedom of expression and the right to privacy. (Rulings like those of *New York Times v. Sullivan* and *Roe v. Wade* don't have a counterpart on European soil.) European courts, in gen-



eral, appear to be instead more protective of the values of the model that relate to its system of "mixed" economy—on the one hand, economic liberties and private property, but, on the other hand, "social" or welfare rights (areas that the U.S. Supreme Court tends to shun).

The study of the constitutional law elaborated by the European courts can be useful in many respects, I believe, to an American lawyer. It not only can open his (or her) mind to unsuspected vistas on the world abroad and so enrich his knowledge of the law as a general human phenomenon. It can also help him to understand better the real terms of the constitutional problems at home. Decisions by the Supreme Court that first appear arbitrary may in the end look like nothing but logical developments of the principles of a constitutional model that presently holds sway throughout the West. Others, which appeared without alternatives, may reveal their true nature and turn out to be, after a comparative examination, only the product of a very particular value choice made by the Court.

The comparison would show, in addition, that the problem of the selection of judges in view of their philosophical and political inclinations—a problem of special interest these days in the United States—does not concern exclusively the American system. It has occupied, and still occupies, the minds also of Europeans.

As I said earlier, European constitutional courts have to interpret and enforce highly indeterminate principles, and they, like the U.S. Supreme Court, have "creatively" developed the law. That has put them in sharp conflict, sometimes, with the people's elected majorities, just as has happened sometimes to the American court. In some cases European courts have displayed a boldness in the challenge that compares well with that of the U.S. Supreme Court in its best moments—as when, for instance, the German court struck down a statute liberalizing abortion in the name of the fetus's "right to life," or the Italian court broke the government monopoly over radio and television and legalized private broadcasting, or the French *Conseil* partially invalidated President Mitterand's initial attempts to nationalize consistent sectors of the economy. Nevertheless, all in all, European courts have probably been a little more prudent, politically, than their American counterpart. This attitude of greater self-restraint may depend on many different causes. It may depend, among other things, on the particular rules the Europeans have adopted for the selection and tenure of their justices.

All the European founding fathers had a vivid memory of what had been "government by the judiciary" in America during the *Lochner* era; and they were determined, in setting up their respective systems of judicial review, to avoid, if possible, the excesses of that "government." They accordingly decided, in the first place, to shape the process of appointment of the justices in ways that would assure a relatively balanced representation in the court of all the different ideological trends existing in society. So either they entrusted the power of appointment entirely to the parliament, with rules designed to give to minorities their share of justices (as in Germany), or they distributed the power between different organs or agencies, assigning to each a pre-established quota of the justices to be appointed. (In Italy: to the president of the Republic, to Parliament, to the highest courts of the judiciary. In France: to the president of the Republic, to the president of the National Assembly, to the president of the Senate.) In the second place, they chose to fix a term for the justices sitting on constitutional courts. In general, the term has been twelve or nine years, and justices may not be re-elected. The idea was to avoid the risk of an undesired "aging" of the court's jurisprudence. This combination of rules has apparently succeeded in producing what the framers had intended: courts sufficiently independent to be able to stand up to legislative majorities and defend the constitution, while at the same time courts that, by virtue of their composition and of the rhythm of their renewal, do not lose contact during prolonged periods with the

mainstream of public opinion and don't read the constitution in a too lopsided way.

I don't want to be misunderstood. I am not surreptitiously suggesting that, in order to prevent possible excessive "innovations" in court-made constitutional law (like the ones that allegedly occurred in the Warren and early Burger periods) together with possible subsequent too-drastring "reactions" against the "innovations," Americans should think of changing the method of selection and the tenure of their justices. I am simply trying to point out the fact that the "political" element inherent in the jurisprudence of a court exercising review and the consequent "political" preoccupations concerning the appointment of justices are present also in the experience of the European constitutional systems. It is worth while meditating upon such experiences. Even a complete confirmation of the appropriateness of the American methods of selection and tenure, against the background of the American system, would be based on stronger arguments if the different methods of similar systems had been previously analyzed and sifted to draw from them any possibly useful lesson.

*About the author: Professor Giovanni Bognetti received his law degree from the University of Milan and is now on the faculty there; he has also held appointments at the universities of Urbino, Padua, and Pavia. He first came to CWRU as a visiting professor of law for the year 1975-76. He returned for the 1977-78 year and has since made three one-semester visits—in 1979, 1981, and now the fall of 1988.*

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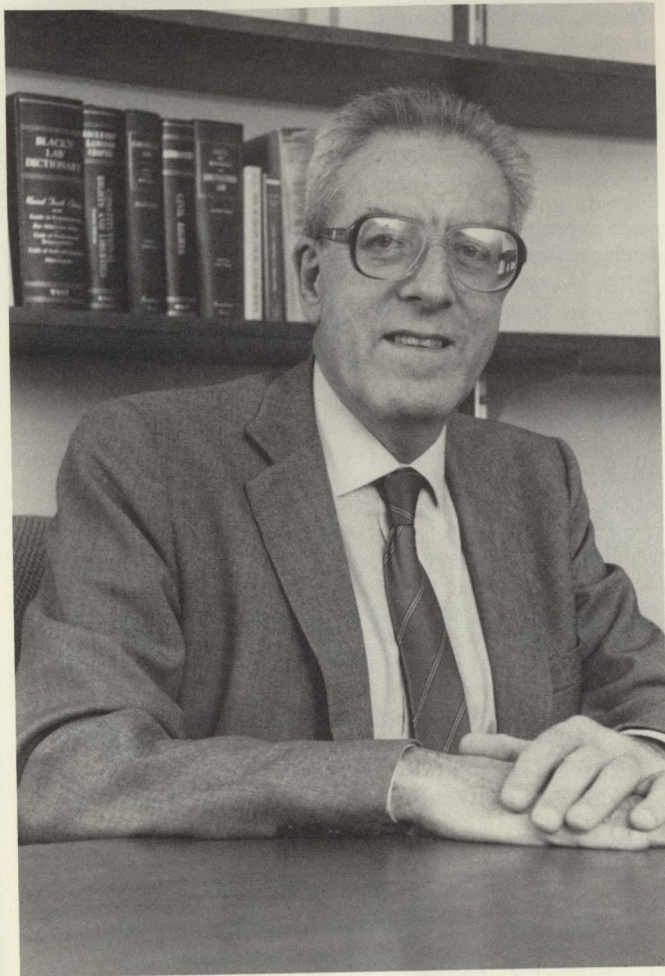
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# About Professor Bognetti

by William P. Marshall  
Professor of Law



We have been fortunate that an old friend has returned to us at Case Western Reserve University Law School—Professor Giovanni Bognetti of the University of Milan. Professor Bognetti is one of the foremost experts in the world on comparative constitutional law, and I have been amazed at the extent of his knowledge not only of broad comparative issues but also of the specifics of United States constitutional law. When I delivered a paper to the faculty this past term, for example, on the somewhat obscure subject of sovereign immunity, it turned out that probably the most knowledgeable member of my audience, and therefore my most incisive critic, was none other than Professor Bognetti.

But Professor Bognetti brings to this law school far more than his own personal excellence as a scholar. Indeed, he brings us far more than his personal warmth and graciousness. He also brings us his subject—comparative law—a subject which, during the times Professor Bognetti is not here, is sorely missed.

Comparative law is often termed an "enrichment" course. By many it is considered one of the luxuries of legal academia, a course that can be offered after the "basic" courses are covered.

But one has to wonder which courses are basic to our understanding of law and which courses are luxury. When the teaching of Comparative Law is placed in the able hands of a Professor Bognetti, suddenly it becomes the basic course and courses like Constitutional Law and Federal Jurisdiction become the luxuries. For it is through the understanding of how other legal systems approach problems that we are able to understand what are the essences of a particular legal subject. At that point we can suddenly understand that when we learn the law of the United States we are not learning the essence of law at all, we are just learning one symptomatic approach to a problem. In that sense our "basic" courses in property, contracts, constitutional law, etc., are not basic courses at all.

Of course, even as I am writing this I can hear certain readers say, "Well, maybe that's true but I have yet to use European principles or cases on judicial review, for example, in developing an argument on my own United States case." And certainly my hypothetical critic is correct: we seldom use the decisions of other nations' legal systems in arguing our own cases. But that does not mean that knowledge of those principles is not an invaluable tool for developing and informing our own legal theories. Even comparative law, after all, has a practical side.

But whether comparative law has a practical side is essentially beside the point. There is no practical alternative to developing a deep and thorough understanding of law. Such an understanding is basic, elemental, and critical to mastery of the profession. During his visit with us Professor Bognetti has done much to give us this basic foundation. My only hope is that we have similarly benefited him.



# Looking Back on Legal Services

by Wilbur C. Leatherberry, '68  
Professor of Law

*Though its title is "Looking Back," this is a Preface. We asked Bill Leatherberry to give us, from his own Legal Aid experience, an introductory background to the Focus on Legal Services that follows on page 6.—K.E.T.*

I began to work for the Legal Aid Society of Cleveland in the summer of 1967 as a law student assigned to the office at East 79th and Kinsman. It was a one-attorney office, and the attorney was in court when I arrived and introduced myself to the secretary. She seated me in the lawyer's office. Just a few minutes later, she escorted in a mother and daughter, handed me a card with the mother's name and address on it, and closed the door behind her, leaving me to fend for myself.

With no real idea what I was doing, I asked the mother to tell me why they were here. She said that the daughter, who was not married, had had a baby and wanted to bring a paternity suit. I didn't know where to go from there. I did remember from the one hour of interviewing instruction I had had on the day of orientation for new student interns that a juvenile client should never be interviewed with a parent in the room. Unfortunately, the instructor had said nothing about how to get the parent to clear out. I spent the next few minutes bumbling around and finally asked the client and her mother to return later when my supervisor would be in the office.

My first experience was typical for legal services attorneys in those days. Judy Lipton of our clinical faculty had a similar learning experience as a law student working at a legal services program in Hartford, Connecticut. She also reports being given sole responsibility for that office's family law docket of 250 cases as soon as she was admitted to the bar.

After the shock of my first day in the office, I did get advice and instruction from many experienced attorneys, including my (now) faculty colleague, Mel Durchslag.

Mel came to Cleveland Legal Aid from a Chicago law firm. He was a member of the first class of 50 attorneys in the Reginald Heber Smith Fellowship Program. When I graduated in 1968, I became a member of the second class of 100 "Reggies" and was also assigned to the Cleveland office. The Reggie program was designed to recruit able young lawyers, nationally, into legal services and to distribute them around the country.

As Mel and I began our legal services careers, the federal government was just beginning to provide funds for legal services as part of President Johnson's War on Poverty. The Legal Aid Society of Cleveland was one of the early recipients. Cleveland also benefited greatly from the Reggie program, which had separate federal funding. Reggiees were additional lawyers paid from a funding source other than the one that supported the basic operations. The Cleveland office could—and did—allow us to engage in "law reform" activity without diminishing the resources and the people available to provide direct service to the large numbers of individual clients who needed legal assistance.

A disproportionate number of Reggiees were sent to California—not because they yearned for the West Coast lifestyle or craved proximity to the ocean (no one in my Reggie class was willing to go to Honolulu), but because they were idealistic and aggressive. They wanted to make new law beneficial to poor people, and the California courts were quite receptive to that.

The legal services activities in California irritated Richard Nixon, who followed Johnson to the White House, and Ronald Reagan, who as governor was a frequent target of lawsuits demanding increases in welfare benefits and pressing other (often successful) claims that increased state

spending for the poor. Many of the Nixon's and Reagan's closest friends and advisers (including Edward Meese) were lawyers who had done battle with the California legal services lawyers and had little affection for them or for the courts that often ruled in their favor.

The Nixon years saw retrenchment in the national program. Burt Griffin, now a judge in the Cuyahoga Court of Common Pleas, had been the national director under Johnson. Griffin and others saw the need to insulate the national program from political attack during the Nixon years. They proposed the Legal Services Corporation as a free-standing agency, no longer under the auspices of the Office of Economic Opportunity, which was under attack as the locus of poverty programs. With the strong support of the organized bar, the Democratic Congress created the LSC in 1974.

President Nixon and his close advisers did their best to rein in or destroy the Legal Services Corporation. They opposed funding for all law reform activities: test case litigation, the Reggie program, the "back-up" centers that helped local offices in particular areas of law, legislative lobbying. They saw that the program was carrying out a loosely-organized but sometimes effective political reform agenda. Those of us working in the vineyard believed that we were simply representing our clients effectively in ways that attorneys had always represented their clients. The difference was that we were paid by taxpayers' money.

During the Nixon era, legal services enjoyed vigorous support from the American Bar Association, from some major city bar associations like that in Cleveland, and even from many Republican legislators, like Ohio Senators Saxbe and Taft, who fought hard against their own president. After Nixon, there was a period of relative quiet and stability, disrupted with the election of President Reagan. Reagan submitted budgets calling for no funding of the LSC. He packed its board with conservatives who did not believe in the program and who sought to restrict its lawyers' activities to the most routine cases—cases that could not possibly change the lot of the poor or provide a forum for political advocacy. But the program was saved repeatedly by the leaders of the organized bar and political leaders, mostly lawyers, who shared the conviction that poor people were entitled to able and vigorous representation at government expense.

Many states, including Ohio, developed state funding sources for legal services. Some raised court fees and directed the additional money to legal services programs. Ohio did that temporarily and then adopted the other common alternative, a program which provides that banks must pay interest on lawyers' trust accounts (hence the name IOLTA) and that the interest is transferred to a state account to be used to support legal services for indigents. The IOLTA programs have replaced much of the federal money which the Reagan Administration was able to withhold from the LSC. They have diversified the funding base to protect legal services programs against future political attacks and provide a more substantial and consistent source of revenue.

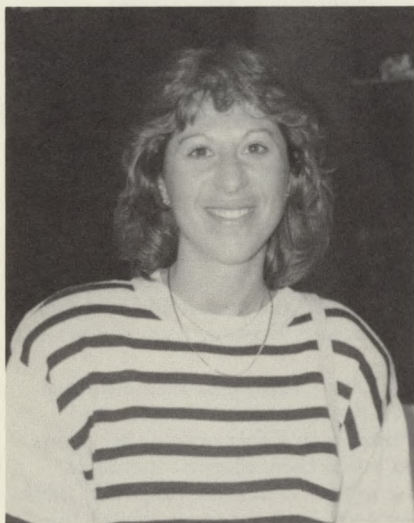
As the Reagan era ends, legal services attorneys and alumni must hope that President-elect Bush, who spoke during the campaign of a "kinder, gentler America," will support a program that makes available to poor people the legal services which they need to enjoy fully the legal rights which America promises to all its citizens.



# Focus on Legal Services

*When it occurred to In Brief about a year ago to focus on alumni in legal services, our first problem was coming up with a list. We asked our computer for everyone in the system who had indicated Legal Services/Public Defender as a specialty area on a directory questionnaire, plus everyone who had "Services" or "Aid" or "Assistance" in the name of the employer. The result, when we had weeded out such irrelevant organizations as Acme Financial Services, was a working list of some sixty alumni who are or once were in legal services positions. We know we must have missed a good many.*

*We might have filled these pages just by spending a few days at the Legal Aid Society of Cleveland, whose staff includes a number of CWRU law graduates, but we chose to range as far as the law school budget and personal vacation travel would take us. We also invited some people who were beyond our range to let us know if they just happened to get back to Cleveland—and two of them did. What follows, then, cannot pretend to be a representative or even a random sample. Call it a catch-as-catch-can selection.—K.E.T.*



**Beth E. Kahn, '86**  
**Camden Regional Legal Services**  
**Mount Holly, New Jersey**

Beth Kahn's father was an assistant dean at the University of Maryland school of social work when Beth was in high school, then took a job in Philadelphia with the Federation of Jewish Agencies. Beth thought that she too would be a social worker, but in her junior year (at Michigan) her father urged her to look at dual degree programs and study law as well. He thought, and she now

agrees, that "you can do more as an attorney than as a social worker. You have more power to change things."

Her four years in CWRU's JD/MSSA program gave her an interesting mix of experiences. The School of Applied Social Sciences arranged a field placement with a children's agency. "My supervisor was going to the Akron law school," says Kahn, "and I got the cases that were going through the court system." Her second placement was with a divorce mediation program at Cleveland's Center for Human Services. "I was the social worker. I learned a lot working with lawyers." Kahn was careful to include Family Law and Juvenile Law among her courses, and she especially enjoyed Law and Social Policy with adjunct faculty member Louise McKinney, '78, of the Cleveland Legal Aid Society: "one of the best classes I took."

After graduation she went home to Philadelphia and looked for a job in legal services. It wasn't easy: "Money was tight, nobody was hiring. I got real discouraged." Then classmate Brian Belson, who was just across the river working at Camden Regional Legal Services, told her of an opening there. Kahn interviewed, got the job, and was assigned to the office in Mount Holly, a half-hour commute from her home in Philadelphia.

Though Mount Holly has its share (and perhaps more) of wealth, it also has poor people with the problems typical of poverty. "We see a lot of landlord-tenant problems," says Kahn. "A lot of welfare, social security disability, collection matters, repossessions. We get homeless people, people who have been put up in hotels and are getting thrown out; those always turn up at four o'clock on Fridays."

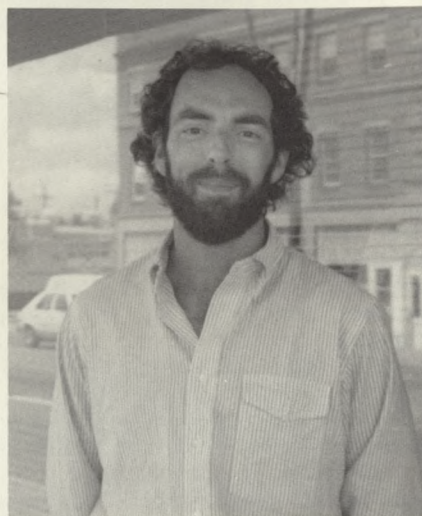
Office policy limits the family law cases. "If it's a divorce, or a custody problem, we'll explain what they have to do but we don't do it for them. If the other side has an attorney, we can refer the client to a volunteer private attorney. Our policy is that family law isn't a priority unless it's an emergency—domestic violence, for instance."

Kahn's own practice has a special focus. "I've carved out a spot working with parents and abused and neglected kids. Maybe the kids have been removed from the home, or the parents have voluntarily placed them with family services and need help with parental rights. The other two attorneys in the office don't like that kind of work, and it's what I like best. So I get it all."

Kahn probably won't stay in Mount Holly forever—"I'd like to have some

other experiences"—but hopes to stay in public interest law. "Somebody needs to do it," she says, "and I like the challenge. I'd like to do child advocacy; I'd move in that direction if I could find the right opportunity."

"But for now, this is the right thing for me. I really get a sense of accomplishment when I can make someone's life a little better."



**Theodore R. Kern, '83**  
**Ohio State Legal Services Association**  
**Columbus, Ohio**

Ted Kern's story starts out like Beth Kahn's. He majored in social work at Ohio State University and was attracted to CWRU by the dual degree program. "I figured out that social workers don't have very much power, and I wasn't satisfied with what I would be able to accomplish as a social worker." Then after one year in law school he "just couldn't imagine going back to social work."

In the summer and through his second year he clerked at the Cleveland Legal Aid Society. "We had special funding to provide services for mentally disabled people. I did screening, helped prepare cases, held open office hours at a VA hospital. Later I represented clients in administrative hearings. My last project was training nonlawyers—social workers—in social security law."

His marriage in 1982 to a Columbus stockbroker meant that he took his third law-school year at Ohio State and then limited his job search to the Columbus area. He further limited himself to legal services employers. Although the early 80s were lean years in legal services—one organization answered his letter with



"our deepest sympathies on the unfortunate timing of your graduation from law school"—his background in mental disability law helped him land a job with Ohio Legal Rights Services—"a state agency," he explains, "that provides representation and advocacy for people with mental or developmental difficulties."

"I worked in special education law to a large extent," says Kern. "I represented parents of handicapped children, working with the school district to develop services, representing parents against the district in federal court if we couldn't work out a suitable program. I also did some representation of mentally ill persons in civil commitment law. And we did some work advocating improvement of state institutions. I tried to get the agency involved in medical malpractice actions to improve conditions—I thought that was a valuable tool. But they were reluctant to take fee-generating cases."

That job lasted about three years. Kern explains: "I left when I thought I had learned as much as I could. Also, I could see burnout developing. I had a heavy caseload, and it was draining work. I could resolve the legal problems, but the real problem was the client's handicap, and I couldn't do anything about that. What I did was just a stopgap."

Since March, 1987, Kern has been with the Ohio State Legal Services Association. One arm of OSLSA is Southeast Ohio Legal Services, with seven offices providing direct client services. Another is a computer facility which, Kern notes, "serves seven or eight states, including Alaska and the Virgin Islands." Finally, OSLSA has a state support unit. "We provide assistance to direct-service programs all over the state. We do co-counseling, some clearing house and research services, litigation impact work, legislative advocacy, and training for legal aid attorneys."

"I'm one of the state support attorneys," Kern continues. "My specialty is public benefits work and administrative advocacy—food stamps, ADC, general assistance benefits, and to a lesser extent medical coverage and social security, because another attorney covers those. I do training and co-counseling, and some lobbying, and some direct client representation. I take a direct representation case if it's one from which I can learn something, or if it looks as if it might turn into some impact work, or if it's a particularly complex problem. I take some just to keep current with what's happening in the local welfare offices." After his time with OLSRS he welcomes work that's "more impersonal: I'm dealing with agencies, and with clients' financial concerns, not

their personal problems."

When *In Brief* visited Kern, he was rejoicing in a recent legislative success: "We just got a bill through the General Assembly providing judicial review of state administrative hearings in welfare cases. That will be a big change." As for the future, "probably the biggest issue is health care—continuing benefits for people who get off public assistance programs, and improving the quality and scope of their coverage."

Kern says candidly: "If I had children and my family was dependent upon my legal income, I wouldn't be in legal services." But he would miss it. "I like the work very much, and like the people I work with. We have some incredibly bright people, and there's a kind of fraternity of legal services people. I know folks all over the state, and we have a lot of camaraderie and support." As for job satisfaction, "I've learned to be tremendously impatient, working with government agencies. If I can accomplish anything at all, it's progress."



**Nancy A. Hronek, '82  
Legal Aid Society  
Hartford, Connecticut**

Growing up in Cleveland Heights, majoring in American studies at Bowling Green State University, Nancy Hronek "always had law in the back of my mind." In law school she quickly decided that she belonged in litigation; she sings the praises of the moot court program and Professor McElhaney's trial tactics course. The decision to go into public interest law came later. "When I started to look for a job, I wanted to be involved with people, and I wanted to make a difference, to make changes. When I actually had to write letters and send applications, I realized I just didn't want to go into private practice."

Her husband, classmate Ted Tucci,

had an offer from a Hartford firm, Robinson & Cole. It was late in 1982 before Hronek found the job that she wanted. That was with the American Civil Liberties Union, and mainly it involved her in prison cases. "Connecticut has a fairly antiquated prison system," she says, "not what you might expect from a small liberal northeastern state. I worked on a large conditions-of-confinement case aimed at the women's prison. It's in a remote part of the state, it didn't have a mental health facility, it had cells that they called 'dungeon cells.'" The other part of her job was public education. She wrote columns for area newspapers, and she traveled around the state teaching classes on civil liberties to high-school and junior-high students.

In 1986 she left the ACLU because "I got tired of spending time in a prison. And I wanted more direct client contact; the work with the ACLU was issues-oriented, not as personal as I wanted. When I heard of an opening in a legal aid office—an office that I had heard terrific things about—I grabbed it. There's not as much turnover in legal aid as you might think, and they didn't often have openings."

Hronek's career path gave her what may be a unique perspective on legal aid clientele. Having represented prisoners, "people who had hit rock bottom," she could think of her legal aid clients as fairly fortunate: "At least these people were not in jail."

Hronek's legal aid organization is unusual in depending mainly on private funding; another organization in Hartford gets the federal funds from the Legal Services Corporation. Having two legal aid organizations works to the community's benefit, says Hronek: "We can refer conflict cases, and we have different ideas of priorities." Her organization emphasizes housing, and although Hronek started out by doing "a little of everything," she now concentrates on housing exclusively.

Any legal aid organization sees housing problems, but Hartford's are exceptional. "Housing in Hartford is almost in a crisis situation," says Hronek. "It's a small city geographically, with low office vacancy, and a high rate of growth. Housing has been eaten up by this incredible boom. We lose housing every day, and what's left is incredibly expensive. People have nowhere to go."

Hronek handles "a lot of eviction defense cases," but her work has other components as well: "tenant organizing, receiverships, working with community groups, working with city government, drafting legislation, trying to preserve housing, forcing landlords to make repairs. We're doing more than direct client services; we want to do some things



that have a broader impact." She says the work has plenty of intellectual challenge. "The housing statute is complex and technical. We laugh when we see the private lawyers trying to deal with it and walking around in a daze."

She admits that there is pressure. "Housing cases move quickly; there's a pleading every third day. And it's terrible when you have to turn someone away that you can't help. We probably take only ten or fifteen percent of the cases that come through the door." She adds, "If you don't learn to detach yourself from your work, you can go crazy, you can get overwhelmed. To survive, you have to put a wall between yourself and your client."

She laughs at the difference between her work and her husband's. "Ted and I look at each other and we each wonder, 'How do you do that?' It's obvious that we're each in the right job, and neither of us could do the other's."

Hronek says, with emphasis, "I love my work. It's a great office, wonderful people—they could have had jobs anywhere but chose legal aid. It's a wonderful feeling to go to work every day and do work I enjoy, work that is interesting, and know that I am helping people. Every now and then we sit around the office feeling so smug. Just think, we get paid for doing this!"

"One reason I wanted to do this interview is that I really wanted to encourage people to think about public interest jobs. That practice doesn't get emphasized in law school. For anyone it's a valuable experience. You get instant responsibility, client involvement, negotiations with other lawyers, trial work. It's work that gives you a lot of satisfaction. And it's great fun."

## **Teresa James, '81 Lorain County Legal Aid Elyria, Ohio**

Married right after high school, Terry James was a 25-year-old mother of three when she started college, one course at a time, at the Lorain County Community College. She confessed to a fellow student, the wife of an Oberlin College professor, that Oberlin would be her dream—"if only I were eighteen and wealthy." When she was told that neither youth nor wealth was absolutely necessary, she applied, was accepted—"My children still remember that day!"—and ultimately got her B.A. in sociology at age 33.

Taking a year out of school, she thought about going into social work (cf. Beth Kahn and Ted Kern) but



decided at the last minute to take the LSAT. "I thought lawyers could do more to change the world than social workers." After a pause, "I'm not sure I think that any more."

On her first day of law school she was surprised and delighted to see the man who had been her academic adviser at Oberlin, Professor James Walsh. "Oh, Mr. Walsh, are you going to address the freshman class?" she asked. He replied, "I am in the freshman class, and I'm scared to death." Three years later they graduated together.

James remembers with particular pleasure her courses in constitutional law with Professors Durchslag and Mearns, and Jurisprudence with Professor David Haynes. "I like fuzzy abstract thinking," she says. "I'm not a black-letter-law person." Overall, she says, "law school moderated my views and made me a far more effective thinker. I came to feel that the world didn't need as much changing as I had once thought."

In economically depressed Lorain County there were not many opportunities in 1981 for a new lawyer. "Finally," says James, "I found someone who was willing to share office space, so I hung out a shingle and just started. Those were three of the most exciting years of my life. I did a lot of divorces, and criminal work—that's the way you can get a start. And I took some civil rights cases, one of which made the *Wall Street Journal*. That had to do with a strip search in a junior high gym class. And I had some sex discrimination and race discrimination cases; all of that fit in with what I thought I had gone to law school for."

For two years of that practice James had "the luxury of not really having to worry about paying the rent," but when she and her husband divorced, she had to be more concerned about her income. She gave up the solo practice and took a job with United Auto Workers' legal services. That lasted two years. "I did

a lot of probate work," she says, "and some real estate. It was boring, very routine work. I spent most of my time filling out forms." When she was offered a job at Lorain County Legal Aid, she happily accepted, even though it meant a significant cut in salary.

The Lorain Legal Aid office consists of a director and four attorneys, plus support staff. Its business is a mix of consumer law, housing cases, welfare, and domestic relations. Another CWRU law graduate, Barbara Ramage, '80, supervises domestic relations, and James estimates that sixty percent of her own practice is in that area. "I get a lot of custody cases," she says. "Our clients don't have much property, so they fight over the children."

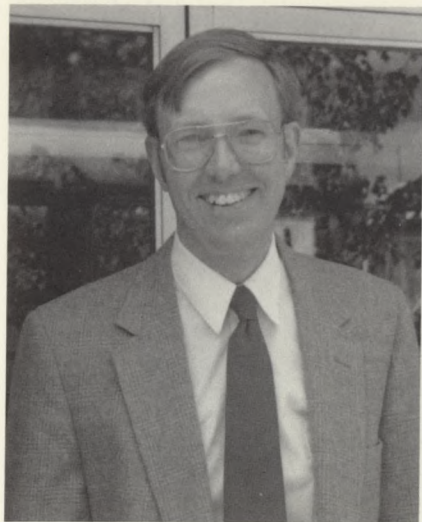
"I also do some tort defense. That can be fun. Often I'm one of several defense attorneys, and the only one whose client can't be harmed by losing—because they own nothing. I also do some social security disability. I expected to abhor that, but I don't, probably because I had an excellent introduction to it through a seminar given by Louise McKinney ['78]. Those cases are so very important for our clients—as important as any personal injury case. Over a lifetime the benefits add up!"

James says, "I enjoy dealing with a crisis, seeing it resolved, though I'm told that in five years I won't be so cheerful. I like challenge. I like it when I can take a bad fact situation, a really abysmal case, and get at least something for my client."

James and the other attorneys worry about the percentage of the organization's resources expended on domestic relations, even though "we don't do a divorce unless there are children, and we don't take a case where people have been separated more than two years. We know we must continue to take at least the cases involving violence, but we wish we could cut back. We would like to be able to do more long-range planning, more outreach and education. Our attorney who handles the housing cases would like to have time to address the larger issues, such as the quality of available housing. If I could cut back my domestic relations work, I'd like to do some consumer law. That really interests me."

Like all the legal services attorneys that *In Brief* spoke with, James is a people-oriented lawyer who really likes her clients. She has a special fondness for her elderly clients, she says, "and I have a lot of them, partly because of my background in probate. They're the ones who say thank you. You even get an occasional hug."





**Dennis C. Tenison, '79**  
**Richland County Legal**  
**Services**  
**Mansfield, Ohio**

Though he majored in political science at Macalester College, Dennis Tenison never, as an undergraduate, considered a law career. "I hated lawyers," he says, "and everything lawyers stood for." He started graduate school at the Johns Hopkins Advanced School of International Studies, finished his master's at Ohio State, put in a year and a half as a hospital ward clerk "to earn some money," and—after all—went to law school.

"I had mellowed a little bit," he says, "and I had heard about legal aid. I thought, 'There are plenty of lawyers out there for people with money, but not so many for people who don't.' It seemed a way of pulling in the tentacles a little. Instead of trying to change the system and the world, I'd try to do something on a smaller scale."

When he graduated in January ("I didn't enjoy law school, and I went through as fast as I could"), he applied to various legal aid offices, including Cleveland's. There was an opening in that organization's "frontier office," as Tenison calls it, in Mansfield, and Tenison agreed to take it.

"Our practice is very general," says Tenison—"a pretty typical legal aid practice. We do domestic relations, usually when there's violence, and unemployment compensation, welfare, consumer, social security disability. The attorney in charge does the intake, and we meet about once a week to review cases and parcel out the new ones. Nobody gets all the divorce cases, which would probably drive someone crazy. We cover three counties. Mine is Crawford County, and I do some work in Richland but none in Ashland."

Tenison enjoys being part of a sizeable, well-managed organization. The

Cleveland office has a fine library, clerks who can help with research, and experts who can be called on if there's a complex problem. Compensation, he says, "is decent—certainly compared with other legal services programs." And he has a manageable caseload. "That means we can't represent everybody and solve every problem, but we can develop our cases, and we can give competent service to the clients that we do represent."

Tenison finds plenty of challenge in his work. One challenge is keeping up with constantly changing laws and regulations. Another is that there are always new problems. "Social security is a very interesting field," he says. "Even after so many years, I still get new problems. I still haven't heard it all." Another challenge is to communicate with clients who are by and large uneducated, and to help them in the kind of crisis situation that Tenison can't imagine he would ever let himself get into—"like giving the landlord money and not getting a receipt."

"If you like taking the side of the underdog," says Tenison, "there's a lot of satisfaction in this work." A recent social security disability case with a client who "couldn't even afford decent medical care" was a case in point. "I took it all the way up and finally got a judgment of \$20,000. That cash really made a difference to that client. You could see the impact."

He especially enjoys the victories over what you might call the villains of melodrama. "When the landlord decides that because you haven't paid the rent he'll just shut off the heat instead of getting an eviction notice, and it's winter and you don't have anyplace else to go, that's a case I enjoy winning. Recently we've had a rash of used cars that fell apart within a few hours. Maybe you can't go after someone for selling a lousy car, but you can get them for violating the truth-in-lending act. And then, some of the private debt collectors are absolutely horrible to people. Against them, the Fair Debt Collection Practices Act can be used quite effectively. Not long ago I wrote up a case for our law reform bulletin under the title 'Debt Collector Pays Client's Bills.' I got a judgment of some \$5,000 for a bill of \$300, and my client used it to pay off his bills."

**Wilma A. Sevcik, '47**  
**Legal Aid Society**  
**Cleveland, Ohio**

From Dennis Tenison and the Mansfield outpost we move to the downtown office of Cleveland Legal Aid and two longtime veterans of legal services. The first of these is Wilma Sevcik, who joined the organization in 1969, and now heads its Older Persons Unit.

Sevcik, who grew up in Cleveland and has a Western Reserve B.A. degree, started law school with the idea of going into the State Department or some similar job in government service. "Instead things happened, and I stayed here." She worked for some time in the county welfare legal department, and then through the 1960s was a juvenile court referee.

When Sevcik first came to Legal Aid, she had a fairly general practice. Then for about two years she had charge of the Juvenile Unit. In 1974 the Older Persons Unit was created, and Sevcik was asked to take charge. At first the unit consisted of 2 attorneys who saw clients at 16 sites in Cuyahoga County. Now 5 attorneys cover 3 counties—Cuyahoga, Lorain, and Geauga. "We have more cases than we can handle," says Sevcik. "I have a caseload of about 40, and we keep new attorneys down to 35 or 40. But the others have had as many as 105."

Elderly clients are assigned to Sevcik's unit even when their problems might seem to lie within another unit's special expertise. One attorney, who started out in the Family Law Unit, handles older clients' divorces. "We see a lot of second marriages going sour," Sevcik says.

"We also see a lot of consumer problems. Older people are vulnerable, and so often they get ripped off. Some home repair contractors are scoundrels! They get people to sign terrible contracts, and then they can't pay, and the contractor refers them to financing and before you know it they are really in trouble."

If she is not fighting scoundrels, Sevcik is probably fighting with bureaucrats. "People on social security run into a lot of problems with the government. We get Medicaid cases—people who are denied benefits by bureaucrats for no good reason."

Sometimes the helplessness of the client can be frustrating. "It's surprising," says Sevcik, "and it makes me madder than a wet hen, that so many women are so helpless when the husband dies. They say, 'I never had to worry about this sort of thing. My husband took care of me, treated me like a lady.' To me it would be an insult, not to be allowed to write a



check. It's a crime, an injury, to do that to a woman."

Sevcik divides her time between direct client service and activities that have a broader impact. "I have a lot of freedom," she says. "Lyonel Jones is an excellent director, and to a great extent we can choose what we do. Even when he doesn't entirely agree with what we're doing, he lets us make the decision."

Sevcik says, "When the client cases get me down, I turn to legislation. I worked on the Adult Protective Services Act, and on the Guardianship Reform Act that's now pending in the legislature. Another that I worked on is the new bill—Medigap supplementary insurance. I worked with the Federation for Community Planning on those three." Sevcik serves on the federation's Council on Older Persons and its Elderly Health Care Committee. (Incidentally, the guardianship and Medigap bills were introduced by a fellow alumnus, Senator Lee Fisher, '76.)

Health care she sees as the biggest problem—"and I'm not sure that Mecca (the Medicare Catastrophic Coverage Act) is going to take care of it. We have such a hodge-podge health system. We put our finger in the dike here and there, but there is no overall planning. Long-term care is especially difficult. My own view is that we don't need so many nursing homes. If we had a real community support system, we wouldn't have to be so quick to put the elderly into nursing homes. It would be cheaper all round, and better for everyone, if people could stay in the community longer. Ohio has an experimental program, called Passport, that I'd like to get started in Cuyahoga County. Persons are chosen randomly for participation; they stay in their own homes, and they're provided with the necessary services. Unless they're totally out of it, most people can make it at home—even in a wheelchair."

When Wilma Sevcik thinks about retirement, she doesn't think about taking it easy. "I'd like to be more active in politics," she says. "So many changes need to be made; there has to be a constant push to get change in a bureaucracy. Or I'd like to do something like joining the Peace Corps."



*Wilma Sevcik and Susan Stauffer*

### **Susan P. Stauffer, '70 Legal Aid Society Cleveland, Ohio**

Susan Stauffer, who joined the Cleveland Legal Aid office just a few months after Wilma Sevcik, decided early on a law career despite working even in her teens for her lawyer father, fighting cobwebs in the courthouse basement as she did title searches. That was in a small town in western Pennsylvania. She went to Geneva College, transferred after two years to what was still Western Reserve, and stayed on for law school.

In her first summer Stauffer volunteered at the Cleveland Legal Aid Society. In the middle of her second year she came back part time, and one way or another she has been with the Cleveland Legal Aid Society ever since.

Stauffer, then in Legal Aid's Glenville office, volunteered to handle all that office's domestic relations cases. The attorney in charge was eternally grateful, she says, because no one else wanted such work. At that time each of the organization's offices was handling its own domestic relations caseload. "At any moment you could run into six or seven Legal Aid attorneys standing around at Domestic Relations Court, and it occurred to Lyonel [Lyonel Jones, executive director] that he was wasting attorney time and energy. So he thought of establishing a family law unit."

Stauffer and a classmate, Christine Lobas Magee, had designs on that unit even before it was established and even before they had graduated. "We wanted to see that it was done right," says Stauffer. We went to Lyonel and said, 'We want to run it.' We took the cases from our two offices, and the agreement was that other offices could finish what they had but new domestic relations cases would come downtown to us. We passed the bar, got sworn in on a Saturday, and showed up on Monday."

Eighteen years later Stauffer is still running the Family Law Unit.

Though she admits the possibility that "maybe I'm totally crazy," she says she still enjoys it. "The area is challenging, and the last twenty years in Ohio have seen a lot of change and progress. The clients are interesting, because no two people are alike; most of them are marvelous, and I really enjoy them. And I practice before a wonderful court. It has always been a good court. It has six really superb judges, and twelve or thirteen superb referees. Practicing before them is a pleasure."

With so many legal services offices reducing, or altogether cutting out, domestic relations representation, Stauffer appreciates the commitment and support that Cleveland Legal Aid continues to give to her unit.

"Lyonel's perception is that for a great many of our clients, this is the one positive experience that they have in their entire lives with the judicial system. They file an action, they get paid attention to, and somebody does something about their situation. That's important. Maybe the work of the Law Reform Unit has a broader impact, affects thousands of people, but the people affected may not even know it. What we do means something to the client personally. And I think that if you serve one client, the service has a ripple effect."

Stauffer says that at one time her unit, with four attorneys, was running 1,300 active cases. "When we went down to three lawyers, it was clear that we could not maintain that caseload. So for two years we have been on restricted intake. We take in clients only twice a year and take in about 150 cases each time. The clients that we have to turn away are told to come back when we reopen, and they call us regularly to find out when that will be. When we open to intake again, they're the first in the



door. Intake lasts only a day or two, and then we're filled up and we have to send people away again."

Stauffer must have been asked dozens of times how she has survived for nearly twenty years in a line of work that's so demanding emotionally. She knows that she is a rarity. "Certainly many people aren't emotionally suited to doing this work, because they internalize all the pain and grief and sadness, and they just can't function. People have said to me, 'I can't do it any longer. I just can't go home any more with this stuff in my head.'

"I have as much compassion as anyone, but I don't internalize it. I get angry. Every now and then I run into something—especially child abuse—that just wipes me out for about fifteen seconds. But then I get angry, and I want to *do* something. When you gear up to *do* something, that keeps you from being devastated. Being angry doesn't mean that you go shrieking and screaming. Anger doesn't help you unless it's controlled."

Stauffer has put her long experience in domestic relations to work in the larger context. "I worked with the guardian ad litem program, so the kids I worry about do get adequate representation. I've been on the local rules of court committee for four or five years or more. I was appointed to the Ohio Supreme Court's task force on child support enforcement. I'm so glad that we got the new statewide guidelines in place! There was such a disparity. You could have exactly the same fact situation, and the eighty counties would give you at least fifty different support orders—most of them really on the low end. It was contributing to the poverty of a whole class of women."

People keep asking Susan Stauffer when she will leave Legal Aid and "go into private practice and earn some money." She assures them that Legal Aid does pay a salary, regularly, and it's quite an adequate salary "if you don't care about mahogany." Others ask her when she will run for judge, but she doubts that she has the judge's temperament: "If you externalize and get angry, you probably shouldn't be on the bench." What she probably will do, she says, is stay in the Family Law Unit till the end of her days. She says cheerfully, "I expect to drop dead in the courtroom."



### **Christine Blair Legow, '78 Northeast Ohio Legal Services Warren, Ohio**

Chris Legow, who grew up near Cortland, Ohio, went to Hiram College with the intent to become a history professor. But when the academic market looked less than promising, she took an interim job after her graduation as a paralegal with the Trumbull County Legal Aid Society, helping to set up a program of assistance to the elderly. After a year there she entered law school. She chose CWRU, she says, partly because the school offered a course in poverty law and clinical experience through University Legal Services, but she adds that she was into her first year before she was really certain that "legal aid was what I wanted to do. From then on, I was preparing to go back."

By the time she got back, the Trumbull County Legal Aid Society had turned into Northeast Ohio Legal Services. From the beginning she did some work with the elderly—"a lot of community education, going to seniors' groups, discussing rights, inheritance, encouraging people toward self-help. I created several pamphlets, including one on how to put your spouse's estate through probate. Unfortunately, legal aid attorneys can't handle every problem. But a lot of things aren't hard for the client to do if you just explain the process." After a time Legow found herself handling strictly elderly law.

Not long after she began practice she married another attorney in the Youngstown office, who had been hired at the same time she had. That was one reason that she agreed to become managing attorney of the office in Warren. "When I came back from maternity leave, I found that I had lost my office. I tried to work in my husband's, but that was impossible—his style is different from mine. I'm glad I made the transfer to

Warren. At least now we have some different experiences. We have something to talk about at night."

When *In Brief* visited the Warren office, it consisted of one (Legow) and a half attorneys, and they were in the process of hiring a replacement for an attorney recently resigned. Legow said that office management was not a big component of her work: "Most of the administration is handled in Youngstown. I do oversee a Title XX contract and a small contract with United Way. Through that I act as a guardian ad litem for elderly people who are wards, or for whom protective services are being sought."

Most of Legow's own practice is in domestic relations. "One reason I'm doing that," she says, "is that I like trial work. I really enjoy strategy, confrontation. By now I know my area, substantively, so I can concentrate on improving my skills." Within a limited area, says Legow, "we take virtually every client who comes in, though we used to have a waiting list. We don't do visitation, we don't do child support; those matters are handled through the Child Support Enforcement Agency."

Though Legow would agree that domestic relations doesn't have the "impact" of some other areas of legal services, she would argue that "you can do more than work on just the individual case. There are things you can do to change the system. I've testified before the Supreme Court Committee on Child Support, and I'm active in ACES—the Association for Children for Enforcement of Support, a national organization that was started in Toledo. I'm part of a domestic relations task force that helps to train other legal aid attorneys, give us some strategies. I would hope that the work we do will change individual judges' opinions of how cases should be handled."

She adds that she has had plenty of opportunity to work on matters of broad significance—a probate adoption case, for instance, that went to the Ohio Supreme Court. She says, "I wouldn't want anyone to think that a legal aid practice is boring and routine. There's a lot of challenge here."

Asked how she copes with the emotional trauma of a domestic relations practice, Legow said that a paralegal in the office handles most of the intake. "She's good at listening, and it means that the client can release emotions at her. Then I see her notes, the facts on paper. Once I've determined what steps to take, I can talk to the client. I may hear the same story, but it's easier at that point because I have a plan. I know what I'm going to do."

Legow finds the financial rewards of her job quite sufficient. "I don't feel deprived. I live a very pleasant



life. Our director [Robert Clyde—see below] has done his best to counter the problems that often mean high turnover in a legal services office. We have reasonably competitive salaries, good benefits, a generous leave policy. He tries to accommodate people's desires about specialty areas."

But it is clear that the main reward is something else. Legow says, "I like helping people who need help the most. Legal services meets my need to give back some of what has been given to me. I suppose that as a woman I've been conditioned to be a helper. With different abilities I might have been a teacher or a nurse. In the law, legal aid is the female helper's field. But men can enjoy it too."



**Paul J. Lupia, '78**  
*Legal Aid Society of  
Mid New York  
Utica, New York*

Paul Lupia was born and raised in Utica, went to not-far-away Hobart College, then was offered "a very fine scholarship" at the CWRU law school. From the beginning, he says, he intended to go into a legal services or public defender office. "It was the politics of the time," he explains, and adds: "I don't know what else I would have done."

He planned his course of study with that goal in mind, taking the clinic in his second year (as was then possible) and thus spending one or two days a week in Cleveland Legal Aid's Hough office, and enrolling in the poverty law course taught by a CLA attorney. He particularly remembers Federal Jurisdiction with Barney Adams—"I use that a lot in my practice."

Equally relevant was his work in at least one summer. The Cleveland chapter of the American Civil Liberties Union had a special grant to work on the rights of the institution-

alized. "We were looking at nursing homes, for example, and prisons. There was a big case then on medical conditions in Ohio prisons. I got into these institutions to interview, and I learned a lot. It was fascinating."

After graduation his first job was in Rochester, New York, as a VISTA volunteer. "I worked for an organization called Statewide Youth Advocacy. We represented handicapped children before school boards, helping to assure their right to an appropriate education. The federal law had just been passed, and a lot of advocacy needed to be done. I've always had an interest in the handicapped; as an undergraduate I did volunteer work at a cerebral palsy center. And it's still the center of my practice. I do all the education work of the Utica office, and I've branched out into other handicapped issues."

When his VISTA term was up, he went way upstate to the little town of Canton and worked for a year, 1979-80, for North Country Legal Services. He enjoyed the very general legal services practice, and he enjoyed being near the 1980 Winter Olympics, but he was eager to get back home. And Legal Aid of Mid New York needed an attorney to man its office in Rome.

Lupia was that office's sole attorney for four years. Sixty percent of his work was in Family Court. "In New York," he explains, "each county has to provide assigned counsel in Family Court, and we have the contract to do it. So I was in Family Court two days a week, dealing with custody matters, foster care, representing parents charged with abuse or neglect, parents of delinquents. We don't do divorces; those are heard in the New York Supreme Court."

After four years, he says, "I was overwhelmed and needed a change. They replaced me with two attorneys! Here [in the Utica office] I'm doing more things that I prefer. Two-thirds of my time is spent on two programs. One is CSS—Community Support System—helping people who have had mental illness stay out of institutions and in the community. The other is CAP—Client Assistance Program—helping people who are disabled and trying to get rehabilitation services from the state Office of Vocational Rehabilitation or the Commission on the Blind and Visually Handicapped. Also I do the education cases, and I still go to Family Court."

Lupia's organization includes 13 attorneys and 3 paralegals; it has 5 offices and covers 6 counties. Its Utica component has 10 of those attorneys and serves 4 counties. There is plenty of work to be done. The area has one of the highest unemployment rates in the state, and Oneida County has the highest per-

centage of elderly. "Most of our funding is federal," says Lupia, "but just barely. We also have a lot of contracts—like CSS and CAP—that pay us to provide services. So our overall budget is equal to that of legal services offices that serve a much larger population than we do. It gives us more cases, more responsibility."

"This is a very good place to work," he continues. "We all feel that we have a say in what goes on; you feel more a partner than an employee. The support staff is excellent. We have the best benefits of any program in the state and almost the highest salary structure. We get four weeks' vacation; it's understood that we need to get away." The result is that Lupia has been with the organization for eight years; two attorneys have even longer tenure, and several others are at five or six years.

It would seem that Legal Aid of Mid New York is meeting what Lupia—along with many others—sees as the next challenge of legal services. "The cutbacks of the early 80s were the big test, and now it's clear that legal services is here to stay. The challenge for the 90s is to make this a place where you can have a career, stay till retirement. If the office is just a training ground, you're not doing the clients any favor. It takes at least two years for an attorney to become effective at this job. One attorney at \$40,000 is worth more than two at \$20,000. I know I can do twice the job that I did when I first came here."



**Edith Benson, '74**  
*Northwestern Legal  
Services  
Sharon, Pennsylvania*

Edith Benson's background could be termed disadvantaged. She was born in Columbia, South Carolina. When her parents separated, she lived for a time with her grandmother in Augusta, Georgia, until her



mother took Edith and her two sisters to New York. There the mother worked as a domestic for the Sisters of Charity, and the three girls went to the order's Cathedral High School.

Edith herself talks more about her advantages. "It's true that there was no one in my family to advise me, and I would have liked that. The people in my family didn't have a formal education at all. But what they did do was say education was important. My mother was a stickler about education, and so was the entire community I grew up in. They were poor, but the neighbors wanted to know how you were doing in school."

From high school Benson went on to the Hunter College annex in the Bronx that was just becoming the Herbert H. Lehman College. It was the merest accident that she got to this law school. When she mentioned to a friend that she was thinking of studying law, the friend happened to have been looking into medical schools. He said, "Hey, why not try Case Western Reserve?"

Benson regrets that the law school, then, had no clinical program and virtually no courses in trial advocacy. She made up for the lack in learning-by-doing opportunity by working part time, in her second and third years, for the Cleveland Legal Aid Society.

When the office ran out of money and laid her off in her last term, she borrowed money from her sister (who had just got a student loan) to pay for her bar exam fee and a bus ticket to interview with Northwestern Legal Services in Erie, Pennsylvania.

Those were the glory days of legal services. Northwestern Legal Services had just got funding to expand its operations over eleven counties in addition to its original Erie County base. Benson was assigned to Meadville. "There were supposed to be three other attorneys and a paralegal," says Benson, "but when I arrived there was no office, no secretary, no nothing. I was told to work with a Meadville attorney and learn Pennsylvania fact pleading. By the time the other attorneys got there, two months later, I had eighty or more active cases and I was putting in weekends and twelve-hour days. I really grew that year. Within the year, I had one or two appeals before Superior Court, and I argued a case before the Pennsylvania Supreme Court."

The load did not lighten, and after a year and a half Benson went back to the Cleveland Legal Aid Society. A year later she left legal services altogether and went to work for Congressman Louis Stokes. "There I could serve the same clientele," she says, "but serve them in a different

way. I needed the change. I was burned out."

But Benson was lured back to Northwestern Legal Services: she would help to create a new unit for training in litigation. That was in 1979—just in time for Benson to experience the difficulties that beset legal services in the early 1980s. "We had to disband the unit, and we cut back to six offices. That meant a great deal of circuit riding." Since then the organization has built up again, but not to the size it was in the late 70s. Benson is managing attorney for three offices—Sharon, Franklin, and Meadville—"and I carry a case-load too," she is quick to point out. She shares the work with seven other attorneys.

Benson says that close to a third of the work is "domestic type cases. We got out of divorce, because our state funding contract says we can't use Title XX money for divorces. But we do custody disputes, domestic violence. The next biggest area is government benefits—welfare, food stamps, social security. We do a lot of work in children and youth services, often representing parents accused of abuse and neglect. We're getting more and more education cases—students suspended or expelled, or students with a disability who aren't receiving an appropriate education.

"We need to begin to look at some economic development issues. They may talk about economic recovery in some other places, but it hasn't occurred here. In the rural areas they're having a hard time getting people to write proposals for development. So many people have lost jobs, and the replacement jobs aren't equivalent; often they're part time, with no benefits. It's disheartening."

Nevertheless, Benson can see some heartening trends. "I think people's attitude toward the poor has changed. When I started, if I telephoned a caseworker to try to resolve a client's problem, the caseworker had the attitude of protecting the state treasury. Now that same caseworker may very well call me and say, 'Here's a problem you can help with.' Maybe the reason is that the various social service programs are coming together; we have monthly meetings, we share information. All of that wasn't happening ten years ago."

She also sees an immense improvement in the working relations between her office and the private bar. "When they sent me into Crawford County," she remembers, "the attitude of the local bar was that they were serving the poor just fine, and they didn't need us. The judges wrote letters to the newspapers; the bar association took out an ad. But over the years they have seen that the need is far greater than they ever

imagined, and they have seen our work and come to respect us."

We asked Edith Benson whether her being black had made any difference in the community's acceptance of her. She said she thought not—"even though when I first went to Meadville, I wore an Afro—a large Afro—and wire-rimmed glasses. You've got to remember that this was around the time of Angela Davis. I'm sure they expected me to get up in the courtroom and yell, 'Black Power!' But no, there hasn't been a problem. I'm treated very professionally."

We also asked her how she was coping with the old problem, or at least potential problem, of burnout. She said she has learned to distance herself from her work—even literally, by keeping her residence in Erie. She has learned to "take vacation time for myself," and to get away as often as she can for training programs—"You come back with new energy and a new sense of purpose." Community involvement is a big help too; in fact, her involvement with community affairs in Erie is one reason why she has continued to live there. Finally, the workload is more manageable than it was when she was working twelve-hour, crisis-ridden days.

Benson thinks the issues she works with—family, children, education, the role of government—are as fundamental as you ever get: "They go to the fabric of our society. In work like this you can see what's happening nationwide; we can tell you what's happening before you read it in the newspapers. You get a feeling for people—about what government can do for them, and what they must do for themselves. We have a responsibility to help people think about their situation, think what they can do to change it. You could argue that the worst thing we've done is create the welfare program. I see a lot of teenage mothers—twelve or thirteen years old—and I wonder what will happen to that mother and her children if we don't provide her with education, training, and a decent job. Basically, you help poor people by helping them get out of poverty. I don't think anyone wants to be poor."



*Bob Clyde and Bob Gross have been in legal services since the very early 70s, have each risen to a position as executive director, and are well known in national legal aid circles as people with knowledge, experience, and even a certain degree of influence and power. Still in their 40s, they are among the senior statesmen of legal services.*



**Robert M. Clyde, '71**  
**Executive Director**  
**Northeast Ohio Legal**  
**Services**  
**Youngstown, Ohio**

A native of Youngstown, Bob Clyde went to Youngstown State University and then worked for three years as

an economist with the Bureau of Labor Statistics. His decision in 1968 to go to law school was "serendipitous," he says, and resulted from no powerful commitment. "If Reserve hadn't accepted me, I might have given up the idea." Once in law school he was "not a total drop-out, but not a real enthusiastic law student."

When it became evident that he really was going to stick it out and get the degree, he had to think about where he would go from there. "I knew people who were out there in legal services and who found it rewarding, so I began to look for a legal services job in Northeast Ohio." He wound up in Youngstown at what was then the Mahoning County Legal Assistance Association.

"There was a director, and two older attorneys, and the budget was around \$90,000. It had been an old legal aid society kind of operation, doing basic services, mainly domestic relations. I was handed 70 or 80 open cases. That was the way of legal aid in those days."

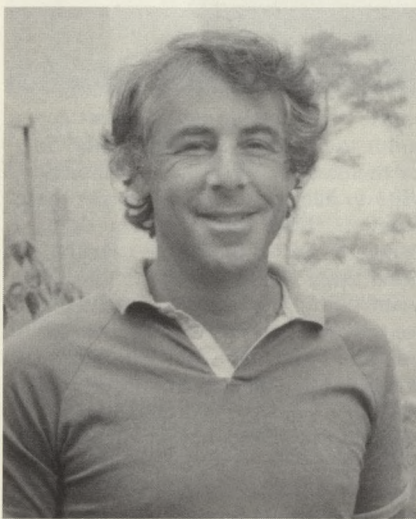
In 1977 the director left and Clyde

agreed—"reluctantly"—to accept responsibility for managing the office. "By then we were five attorneys, and we were beginning to expand. In 1978 we absorbed Trumbull County Legal Aid and changed our name to Northeast Ohio Legal Services. We got a lot of additional resources from the Legal Services Corporation, and by the fall of '78 we were up to nine or ten attorneys. Within the next two years we added Ashtabula and Columbiana counties, and we got up to twelve attorneys before the cutbacks started."

Through the 70s, in what he sees as the first phase of his career, Clyde was active in litigation, especially in attempts to fight the closing of area steel mills. That effort failed but, says Clyde, "it had been quite an effort—fairly extraordinary and unusual application of legal principles. It was frontier work."

The second phase of his career he sees as another battle against shutdown, this the shutdown of legal services programs. "I turned my attention to funding," he says, "trying to save legal services from being completely axed, and dealing with the aftermath of the severe federal cutbacks. That led me into a major effort, lasting more than two years, to get the IOLTA program through the state legislature."

Someday, Clyde says, he will write



**Robert D. Gross, '72**  
**Executive Director**  
**New Hampshire Legal**  
**Assistance**  
**Concord, New Hampshire**

Bob Gross credits his parents with instilling in him early a sense of caring about other people. "They spent a lot of time volunteering their services to people who were ill or old or handicapped. They even received awards for voluntarism. 'The community' was a constant phrase at the dinner table."

When Bob finished Shaker Heights High School, he went off to Williams College. When he graduated in 1967, he headed for the West Coast.

For the next two years he made sandals. "Berkeley was a pretty interesting place in the late 60s," he says (in an understatement), and he was a "fairly good" sandal maker. But he recognized that he was no artist. He had to agree when a friend told him, "Your head is better than your hands."

An older brother was a lawyer. "That was one of the reasons I wanted and didn't want to go to law school. I had seen his law books. I didn't want to go through all that." On the other hand, Bob could see that it would be useful to know what was in the books. His brother had done civil rights work in Mississippi, sent there by his New York law firm, and Bob had seen tenants' and welfare rights groups get to the point where only a lawyer could help. So he went to law school "with resignation."

Law school did not surprise and delight him. "There were two people in the school," he says, "who were supportive of what I was interested in. One was Mrs. T [Irene Tenenbaum, the registrar], and the other was Mel Durchslag. He taught the poverty law course, and really under-

stood what was necessary to provide quality representation to poor people. That course proved incredibly helpful when I left law school." Otherwise, Bob Gross does not enjoy his memories of law school.

But if you imagine that he trudged through law school somewhere along the academic margins, you are wrong. He graduated second in his class, was note editor of the *Law Review*, and saw his own published note win a first-prize award from the American Society of Planning Officials. Then he won a Reggie, which took him back to the organization where he had had a summer's employment (for the princely pay of \$20 a week plus a room)—New Hampshire Legal Assistance.

"It was great. It was exhilarating." Not many lawyers would describe the beginnings of their careers with anything like Gross's recollection of sheer joy. "Legal services was new then, and it had all the energy of youth, hope, and dreams. A number of us were really consumed in those years. We worked incredible hours, and we loved it. It was frustrating only because we couldn't do more."

In 1974 Gross was named director of legislation and legislative counsel, i.e., lobbyist. He worked on a range of issues—housing, public benefits, consumer protection, debt collection.



the story—"how we happened on the last day of the legislative session, by a fluke, to get a vote reconsidered. The bill had passed the Senate, but it lost in the House by seven votes. I was ready to cash it in, give up—only to have a reconsideration five hours later. A small group recognized that we could get it reconsidered, and we did everything humanly possible to turn votes around. To my astonishment, we succeeded. It was a near miracle."

The IOLTA funds, which amount to more than \$3 million a year statewide, have helped to make up for LSC cutbacks, and Clyde feels that "we have weathered the 80s." His staff has grown again to the equivalent of 13 attorneys, and the budget that was \$90,000 when Clyde joined the office is now at \$900,000. Clyde's next aim is to complete a process that he has already well begun—to establish legal services institutionally in the community.

"I felt that we could become a law firm," he says—"not a legal aid society, or an agency, or a program. We've tried to attract attorneys with the idea that they could establish a career here. I wasn't sure, in 1977 or 1978, that it would be possible—to build a stable work force of lawyers who in essence would be partners. But in some measure we have succeeded. We've kept six of us for

something like ten years, and we're attracting others who have a conceptualization of legal services that's different from the old 60s model."

Clyde feels a considerable responsibility for the development of any young attorney that he hires. "We try to encourage hands-on training in the office, on the lines of the partner/associate model. We try to keep case-loads manageable. We don't any longer dump a hundred cases on a law school graduate who hasn't even passed the bar and say, 'Let me know if you need someone to go to court with you, but otherwise don't bother me.' We've had to get over the notion that we should take cases on demand and keep taking till we burn people out, then get someone new and start over."

Another of Clyde's efforts—not unrelated—has been to hold the domestic relations work down to "something reasonable." He says, "Like other offices, we have recognized that the needs of our clients are far more varied than the divorce assistance that for years was our hallmark. It still commands a level of resources that's greater than some of us think it should be. But employment, now, is almost as big an area, and so is housing."

Clyde is proud that his staff attorneys are increasingly recognized as experts in their areas of intensive

practice. "We no longer hear anyone say, 'If only I had some money I'd get me a real attorney.' People want to come to us! We have real expertise in employment law as it pertains to individuals; we now have an expert on ERISA dealing with pension issues from the individual point of view. When LTV's retirees had problems, we could respond. We've played a role in shaping legislation; we had a role in the LTV bankruptcy in New York."

Besides tending his own office, Clyde has had a hand in legal services statewide and even nationwide. Some five or six years ago the national organization of legal services grantees elected Clyde to its Funding Criteria Committee, a small, select group "charged with developing policy for funding for legal services from the national perspective. Over the last twelve years or so it has been at the forefront of lobbying the LSC for funding, for allocation decisions that are reasonable and acceptable, and lobbying the Congress for funds for the LSC." For the past two years Clyde has been the committee's co-chair.

Clyde sees the next few years as an important time of transition for legal services, and he looks forward to a new administration that "if it doesn't foster legal services at least will not subvert it." Having resisted pressures

He helped to get an advocate for the public before the state utilities board. He was instrumental in getting the state to establish a public defender system.

In 1975 he became director of litigation. He notes: "It is a sign of the growth of the organization that now I would not even consider for that post someone with as little experience as I had at that time." He adds: "The same is true of my appointment in 1976 as executive director."

Gross says that he had a mission from the beginning of his tenure as director: he wanted to move the organization beyond a case-by-case response to client needs toward a definition of priorities and goals. "I could see that first-come-first-served wasn't the answer," he says, "and that we really needed some strategic planning."

Despite his talk of institutional priorities, when *In Brief* asked Bob Gross what he thought were his and his organization's main accomplishments over the past twelve years, his instinct was to speak in human terms. "First of all," he said, "we've helped thousands of individuals with their own problems, some very serious.

"We've managed to get disability benefits restored, we've got special education for kids who might other-

wise have been totally lost, or out of the system altogether. I think of the women I've helped get off welfare, women I've helped to get out of miserable marriages, violent situations. I think of the people who used to lie naked on the floor of the state school for the retarded, atrophying. That institution was a typical warehouse, with appalling conditions. One of my goals was to change that, and it was clear that nothing but a lawsuit would do it. I think that New Hampshire is now a model state. We have a system of community-based facilities, and it's working."

Gross recognizes that he has an advantage in running a statewide program in one of the smaller states. "You can look at statewide issues on a policy level and have some effect. And even though it's a pretty conservative state, we are close enough to the government to work well together. You can telephone the welfare office and actually talk to someone who will help you. We've been able to accomplish a lot through the legislature—on balancing rights of tenants, for example. New Jersey and New Hampshire are the only states that require a landlord to have good cause for an eviction. And we've got some legislation through—over the governor's veto—to create affordable housing and fund it."

The New Hampshire bar, says Gross, "has been really outstanding in its support for what we do. It was the first state bar to adopt a statewide pro bono program, and participation is over fifty percent. We have an IOLTA program developed in the last five years or so; now a third of our budget comes from interest on lawyers' trust accounts."

If Bob Gross praises the New Hampshire bar, the admiration is mutual. A few years ago the state bar association gave him its President's Award for Distinguished Service, which it usually bestows on past bar presidents or other gray eminences. The association's executive director wrote that it was given to Gross, just 39 at the time, "because he exemplified such extraordinary service, leadership, and dedication in providing legal services to the poor and in ensuring equal access to justice for all."

Gross has also had the enthusiastic and effective support of New Hampshire's Senator Warren Rudman. For that matter, Senator Rudman has been the mainstay support through the Reagan era of legal services nationally, and Gross has worked closely all along with the Rudman staff.

Gross has had remarkable success in recruiting and retaining quality



## Robert M. Clyde

to "go back just to delivering service—divorce, simple consumer, landlord-tenant," the legal services community will again, Clyde thinks, get some encouragement to think in terms of issues. "We know in this office that 10 attorneys representing 100,000 eligible clients can't do it all. We've got to mobilize our resources to accomplish something for the common good. Some might call that social engineering. I call it good lawyering."

## Robert D. Gross

attorneys. When he recently sent copies of a new attorney's resume to the members of his board, one of them (an attorney in a premier law firm) saw the resume in with her mail, thought this was someone applying to the firm for a job, and rushed it to the hiring partner, saying, "We must get this person!"

Gross has managed to hire such brilliant young attorneys in spite of having to say something like this to a likely candidate: "I'll want you to serve all the poor people in three rural counties, risk your life on icy roads in the winter, work on the serious problems of the client community, and of course stay abreast of the law. You'll occasionally have to do some of your own typing, you'll have to drive sixty miles to the library if you want to do research—and oh yes, the starting pay is \$18,500."

Then there are the brilliant young

attorneys who have said to Bob Gross, "I'd love to take this job, but I can't pay off my loans on that salary." Gross is not alone in seeing that as a crisis situation nationwide and in wishing that law schools could leverage their funds and somehow make it possible for even a debt-ridden new attorney to choose a career in public service. He says, "You can't run legal services just with people like me who grew up in Shaker Heights. That would be a terrible organization!"

At the close of the interview, Bob Gross explained why he had been willing to give *In Brief* nearly a full morning of a short vacation back home in Cleveland. "The law school should know how important what we do is for the fabric of our society. Law students, if they read the magazine, should know how rewarding the work is. And those readers who have some influence over policy should know what tremendous unmet needs there are out there."

## More in Legal Services

We can't leave the subject of alumni in legal services without casting a brief glance all around the country and at least mentioning some of the people that *In Brief* was not able to interview.

The class of 1978 is particularly well represented in legal services. In addition to Paul Lupia and Chris Legow (profiled above), there are **William O. W. Bush**, managing attorney for the Cookeville office of Rural Legal Services of Tennessee; **Marta Coblitz**, who's with the Legal Aid Bureau in Chicago; **Patricia A. Pap**, executive director of Legal Services for Cape Code and Islands, Massachusetts; **Timothy M. Vogel**, who started out as a Reggie with Legal Services of Central Michigan and now is attorney in charge of Legal Services for the Elderly in Portland, Maine; and **Louise Wenner McKinney**, a member of the law school's adjunct faculty who's in the Law Reform Unit of the Legal Aid Society of Cleveland.

Others of the same era are McKinney's colleague **Rashida Farrell**, '79, attorney in charge of the Cleveland Legal Aid's west side office; **Kathy L. Moore**, '79, in the Cuyahoga County Public Defender's Office; **Robin A. Bozian**, '77, managing attorney of Southeastern Ohio Legal Services in

Marietta; and **Dale E. Hibbard**, '77, who's with the Legal Aid Society in Bronx, New York. Then there's a real veteran, **Allen L. Farbman**, who has been in the criminal division of the Manhattan Legal Aid Society since his graduation in 1969.

McKinney and Farrell have junior colleagues at Cleveland Legal Aid: **Eric J. Amery**, '83, who is mainly in Painesville and mainly in domestic relations; **Anita L. Myerson**, '81, who began in the Older Persons Unit and now is in the Law Reform Unit; **Anne M. Porath**, who covers east-side sites for the Older Persons Unit; and **Lauren Moore Siggers**, '87, newest of the lot. And Moore has junior public defender colleagues: **Hedy Kangesser**, '85; **Juan Carlos Hernandez**, '86; and **John A. Parker**, '87.

Other '80s graduates in Ohio are **Jennifer L. Branch**, '87, who does mainly housing work with the Legal Aid Society of Cincinnati; **Rebecca J. Hess**, whose interest in mental disability law took her to the Ohio Legal Rights Service in Columbus; **Barbara K. Ramage**, '80, a colleague of Teresa James in Elyria; **Karen Lee Lazorishak**, '85, at Western Reserve Legal Services in Akron; and **Peter Olaf Stackelberg**, '85, in the Portage

County Public Defender's Office in Ravenna.

Other recent graduates have gone farther afield. **Cindy L. Huddleston**, '82, is with Florida Legal Services in Tallahassee, and **Jane Haughney**, '85, is with Bay Area Legal Services in Tampa. **Louise M. Carwell**, '84, is in Baltimore with the Legal Aid Bureau's Housing/Consumer Law Unit. And **Julie Hale**, '85, is one of three attorneys covering eight "smaller" Texas counties out of the Victoria office of Coastal Bend Legal Services.





## Good-bye, Mary Bohurjak!

by Kerstin E. Trawick  
*Director of Publications and  
 External Affairs*

When Mary Bohurjak retired as assistant director of admission at the end of September, just a few weeks after Irene Tennenbaum's retirement as registrar, many at the law school felt the end of an era. Mary had been on the staff very nearly twenty-five years. Though she always described herself as "a background person," hers was a felt presence. It was hard to imagine the place without her. As Dean Peter Gerhart put it, "How do you say good-bye to someone who has been so much a part of the fabric of our life?"

Mary Bohurjak moved to Cleveland from her home in western Pennsylvania in the fall of 1953, found temporary work as a salesclerk, and began the search for a real job. One Sunday the *Plain Dealer* advertised secretarial openings at Western Reserve University, and on Monday morning Mary hastened to apply. She had always loved school, she says, and was attracted by the idea of working in an academic atmosphere.

When the university's personnel director sent her to the old law building on Adelbert Road, Mary loved the place immediately. She had to wait to see the dean, who was with the faculty at their regular weekly

lunchtime meeting. She still remembers their return in the early afternoon: "They came in talking and laughing. They seemed so genial—joking and teasing each other." Dean Fletcher Reed Andrews interviewed her, and so did Assistant Dean Edgar I. King. They liked her, she liked them, and on December 14 she began work as a faculty secretary.

The law school staff consisted then of three persons. Frances Goff was "the chief administrative person," says Mary. "She was everything. She was fantastic. And she kept everything up in her head. She had a photographic memory." Vivian Langille served as secretary to Dean Andrews and Professor Clinton DeWitt, and Mary Bohurjak took care of the rest of the faculty. Juggling all their demands was not easy, but Mary says, "I loved my work. I really did."

After a year and a half Vivian Langille resigned and Mary became the dean's secretary. "That was a highlight of my career," she says. "I have worked for other fine, fine people. But Dean Andrews was simply outstanding. He was a dream of a man to work for."

Those were years of a tug-of-war between the law school and the central university administration. "Dean Andrews would get so frustrated," Mary remembers. "He tried to get raises for the faculty and staff, but he was so limited in what he could do. He tried to make up for it in other ways. For instance, that first year I was entitled to just two weeks' vacation, but he gave me a third."

After Andrews came Dean Edgar I. King, and then came Acting Deans Maurice Culp and Oliver Schroeder, and then came the Bok Report. Those were difficult years for the school, and Mary Bohurjak felt the difficulties as much as anyone, but she remembers those years as the time of her happiest memories. "The faculty and staff felt a closeness," she says. "We all worked hard. We wanted to do what we could to help the school."

With the acceptance of the Bok Report's recommendations, there was a new feeling of hope. "Ollie Schroeder was instrumental," says Mary, "in laying the foundations for what we have now. He was a dynamic dean. It was exciting to work for him." The advent of Louis Toepfer meant an even stronger sense of growth and progress, and for Mary Bohurjak it was "exciting to be a part of it."

When Toepfer became dean, the legendary Miss Goff was near retirement. "Toepfer was afraid," says Mary, "because here is this woman with everything up in her head." His solution was to find "an administrative person who could learn Miss Goff's job. He hired Blanche Lansky and told her to tail Miss Goff. She tailed Miss Goff all over the place. She'd come back and say, 'Do you know what she does on her lunch hour? She runs errands!' Miss Goff took it very well, I must say. She worked until March and retired at age seventy. I do admire her for her spirit and the way she took it!"

One recommendation of the Bok Report was decentralization: such functions as admission and registration were to be handled within the law school. Dean Toepfer asked Mary Bohurjak to be the admission secretary, and she was pleased with the assignment. She liked the fact that Toepfer had dealt with admissions at Harvard and knew a great deal about the process. Between them the two of them set what has been the continuing tone of the school's admission office. "Kill 'em with kindness," said Toepfer, and kindness was something that Mary Bohurjak just naturally excelled at.

As applications to law school multiplied, Mary worked harder and harder. In that more primitive time before the Law School Admission Service and before electronic calcula-



tors, she had to analyze every applicant's transcript and compute grade point averages by hand. "I remember taking all these files home," says Mary, "and sitting in bed and computing averages at night, with files all over the bed."

By this time Mary Bohurjak and all the admission files were too much for the front office in the old law building. The school had taken over the apartment building next door, and there Professor Leon Gabinet had "a lovely big office with a fireplace and French doors leading out onto a balcony." When Toepfer became acting president of the university and Gabinet became acting dean of the law school, Gabinet moved Mary and admissions into his office next door. Others may have rejoiced a few months later when the school moved into Gund Hall, but Mary always regretted that lovely big office.

When Mary moved out of the front office, her relations with the student body changed. In the old days, she says, she knew the name of every student in the building by Christmas. In the new quarters in Gund Hall, Mary was less visible, but there were

still students in every class who became special friends.

Over the twenty-five years that Mary Bohurjak was the mainstay of the admission office, others came and went. Earl Leiken, whom Toepfer had known at Harvard, was the first director of admission—in fact if not in name. When Leiken left academia for law practice, Joanne Wharton was brought in from Ohio State. Next Associate Dean John Gaubatz took over. Then Mike Magness, '73, then Dan Burns, then (briefly) Ollie Schroeder, then Susan Frankel, and now Barbara Andelman—the eighth and last director with whom Mary Bohurjak worked.

Mary could have continued working some more years but chose to bow out once she had helped Barbara Andelman take hold of the admission operation. "You know when it's a good time to go," she told us. She is confident that she has left matters in capable hands. Vivian Pavilonis, who has worked in the admission office since 1975, is taking over most of Mary's work. Susan Martoff, who was Barbara Andelman's secretary at Benesch, Friedlander, Coplan &

Aronoff, is learning the admission process as well as providing secretarial support. Amy Hammett continues the management of financial aid.

Mary said she would miss her colleagues at the law school, but she looked forward to having more time for other interests—church, friends, family. "I intend to keep busy," she assured us. "There's a lot of things out there to do."

For twenty-five years Mary Bohurjak was the first contact students had with our law school. I know that the enthusiasm and support of our alumni are the direct result of the helpful, pleasant, and wise aid that Mary gave to every law school applicant. She knew our admission process. She could predict the size and quality of an entering class better than any computer. Quiet dedication, hard work, and concern for the individual applicant were her hallmarks. Her retirement closes a memorable chapter.

—Oliver C. Schroeder, Jr.

## Library Staff News

The law library is pleased to announce two additions to the professional staff: Gary Stottlemeyer, computer/reference librarian, and Judith A. Kaul, media/reference librarian. In the accompanying photograph, Stottlemeyer is easy to pick out, and Kaul is standing next to him.

Kaul came to the library in May from a similar position at the Cleveland-Marshall College of Law. A graduate of Cleveland State University and also a candidate there for the M.A. in philosophy, she took her library degree in 1981 at Case Western Reserve and immediately went to work at Cleveland-Marshall. She handled audiovisual services and media services before being appointed reference/media librarian.

Stottlemeyer joined us in June. He took an associate degree at Somerset (Kentucky) Community College in 1971 and by the time he completed the B.A. at the University of Kentucky in 1983 had had considerable experience first in that university's general library and then in its law library. From 1980 to 1987 he was the law library's media services technician. In 1987 he completed his M.S. in library science (at Kentucky) and was named circulation/reference librarian.



The law school's librarians. Photo by Karyn Denton.

Kathleen Carrick (standing next to Kaul) continues as director of the library. Her associate director is Carol Ebbinghouse (seated in front of Stottlemeyer). Next to her is Christine A. Corcos, who is now head of reference and collection development officer, having moved over from technical services. Incidentally, she is also a CWRU law student.

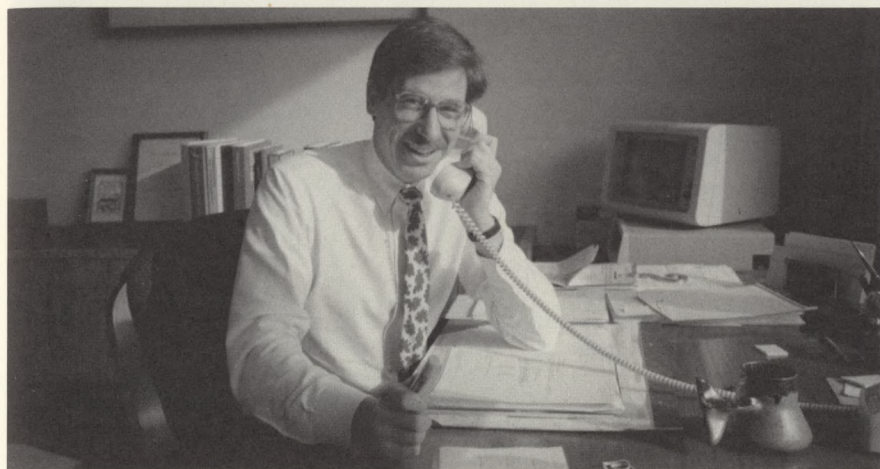
Mary Ledoux, reader services librarian, is at the far right of the photograph; next to her is catalog librarian Sonia Solomonoff. Missing in the picture is a technical services librarian; a search is on for someone to fill that position.

**FLASH!** Just as *In Brief* goes to press in mid-December comes word that Mary Pelzer Hudson will join the library staff in February as head of technical services. She comes from the law library of Indiana University at Indianapolis, where she has been acquisitions/serials librarian; earlier she was acquisition librarian for the law library at Notre Dame. She holds a bachelor's degree from Ball State University and a master's in library science from Indiana.



# New on the Staff

## Law School Names New Development Director



Scott R. Lange joined the law school's staff as director of development in September, replacing Kevin L. Gladstone, who moved on to John Carroll University to serve as that institution's director of development.

A 1978 graduate of Gettysburg College, Lange began his working career at Blackburn College (Carlinville, Illinois), first as admissions representative and then as director of annual giving. His next step took him back to Pennsylvania; in 1980-81 he was director of annual giving at Muhlenberg College.

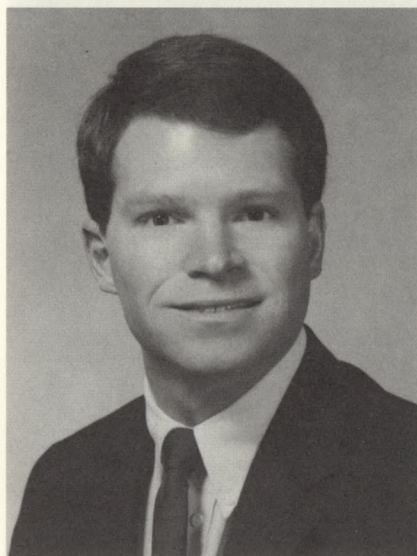
In 1981 he became director of development for Roanoke College, and two years later he was given the same title at the University of Missouri at Columbia. In 1985 he came to Cleveland as director of the Cleveland Clinic Foundation's major gift program.

Along the way he has been notably active in the profession. He is on the national board of the National Society of Fund Raising Executives, served as vice president and president of NSFRE's Central Missouri Chapter, and is president-elect of the Greater

Cleveland Chapter. The Council for the Advancement and Support of Education has also claimed his involvement: he is a member of the Executive Committee and membership chair for CASE's District VI.

Announcing Lange's appointment, Dean Peter Gerhart said: "Scott Lange will be a central part of our effort to find the resources that will propel us to a position of leadership among the nation's law schools. He is a true professional and has thoroughly mastered his craft. I know that those who meet him will share my confidence that our development operations are in good hands.

## CWRU Names Assistant Director for Alumni and Parent Relations



The months since Agnar Pytte's appointment as president of the university have seen, among other exciting new developments, an increased awareness of the university's alumni body and a greatly enhanced alumni relations program. Now a recent (1987) graduate of the law school, James M. Johnson, has joined the CWRU Office of Alumni and Parent Relations as assistant director.

Johnson's particular assignment will be to organize and support a growing number of regional alumni chapters. For many years New York was the only city in which the university maintained an official alumni group, but within the past year and a half chapters have been organized in Baltimore, Chicago, Cincinnati, Pittsburgh, San Diego, San Francisco, and Washington. There are chapters-in-process in Los Angeles, Philadelphia, and Youngstown.

Incidentally, law graduates have been particularly enthusiastic in welcoming the university's outreach to its alumni. They play a prominent role in virtually every chapter.

During his law school years Johnson worked as a mediator in the Cleveland prosecutor's office and on campus as a clerk in the university attorney's office. After graduation he began law practice in Cleveland with Frutig, Polito & Travis. He hopes to make a career in academic advancement and development, he says, and he sees his current position as a logical starting point.



# 1988 Alumni Weekend

When we added up the numbers after the Alumni Weekend on September 23-24, we were amazed and delighted. Some 150 people (we conservatively estimate) came to the Friday evening kickoff at President Agnar Pytte's home, and a good 200 packed the school's rotunda and bridge the next day for the annual luncheon, this year honoring Registrar Emerita Irene Tenenbaum, a.k.a. Mrs. T. Professor McElhaney's day-long CLE program drew 168. And about 300 alumni (including at least 70 from out of state, and not counting any spouses or other guests) came back for one of the ten class reunions.

Especially when we compare notes with other law schools, the numbers tell us something about the feelings that our graduates have for their classmates, their former teachers, and—if we can extrapolate—for the institution generally. A reunion attendance of 46 percent (that's the class of 1958) is simply unheard of among professionals in the alumni business, and anything above one-third (achieved or bettered by the

classes of 1938, 1943, 1948, 1953, and 1963) is quite astounding. We know that larger classes mean looser loyalties—and that it takes some time for memories, especially of the Socratic method, to develop a rosy glow. Nevertheless, the big recent classes (1968, 1973, 1978, 1983) held reunions that drew a fifth to a fourth of the class. We can't wait for the next alumni relations survey that the Association of American Law Schools sends around!

The story beyond the numbers is harder to write, but the pictures on the following pages tell some of it. If you weren't there, you should have been: to feel the affection for Irene Tenenbaum fill the Gund Hall rotunda; to welcome Dean Lindsey Cowen back from retirement in Georgia; to cheer award winners Alvin Krenzler, Patrick Zohn, and Morris Shanker; to watch classmates startled and overjoyed to recognize each other after forty or more years; to see how glad a teacher and student can be to meet again.

Our special thanks to the people who opened their homes for class

reunions: Betty and Fred Cox, '38; Shirley and Lewis Einbund, '53; Roma and George Aronoff, '58; Barbara and Bill Valis, '68; Andi and Larry Carlini, '73; David ('77) and Ann Womer Benjamin, '78; and Guy and Katy Mercer, '83. And thanks to Proctor Jones and Bob Fay, who made the Union Club available to the class of 1948. Thanks, in fact, to all the volunteers! Reunions don't happen without a lot of very personal effort, and the months leading up to the 1988 weekend saw plenty of it.

**Which brings us to 1989.** We're gearing up now for yet another Alumni Weekend, September 15-16, with special reunions for classes ending in -4 and -9, and we would like to hear from anyone willing to help, whether it's as small a contribution as half a dozen phone calls or as large as providing the place for the party. Call or write the Office of External Affairs, 216/368-3860, and ask for Kerstin Trawick. Warning: If you don't call us, we may call you.

—K.E.T



*The Class of 1933 celebrated their 55th anniversary at the Alumni Weekend luncheon. Seated: Allyn Kendis, Clarence Oviatt, Walter Whitlatch, Alfred Palay. Standing: Joseph Ranallo, Joseph Poe, Benjamin Reich, Robert Moss, Harry Jaffe, Dean Peter Gerhart, Clark Morrow, Stanley Webster.*



*Retired registrar Irene Tenenbaum, honoree of the alumni luncheon, heard her praises sung by luncheon speakers Chuck Guerrier, '72, and Dean Emeritus Lindsey Cowen.*



*At the BLSA reception: Jay White, '46, and Elicia Pegues, '90.*

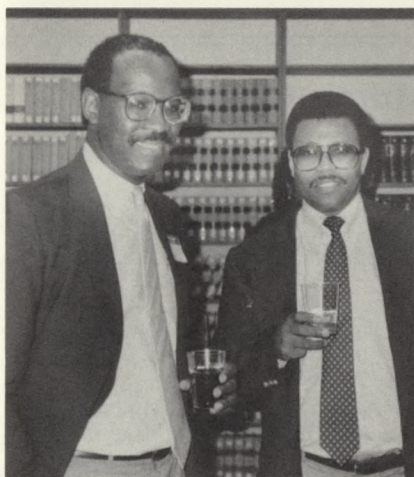




*Peter Harab, '74, and Mary Ann Zimmer, '75, came from New York for the Alumni Board of Governors' meeting. Marge Koosed, '74 (right) is a new board member.*



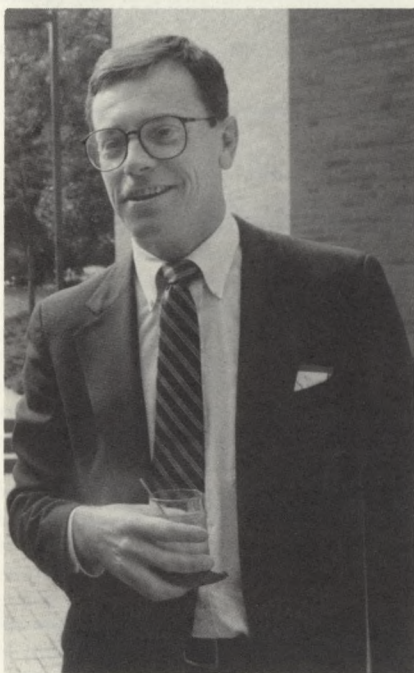
*Barbara Andelman, director of admission and financial aid, with Rollie Strasshofer, '50, newly elected to the Law Alumni Association's Board of Governors.*



*Classmates Dave Edmunds and Dwight Williams found each other at the BLSA reception.*



*Professor Jonathan Entin and Manning Case, '40.*



*John Pyle, '74, new president of the Law Alumni Association.*



*Alberta Colclaser, '36, and Virginia Rick Chaney, '35, came in from Wooster and Columbus respectively.*



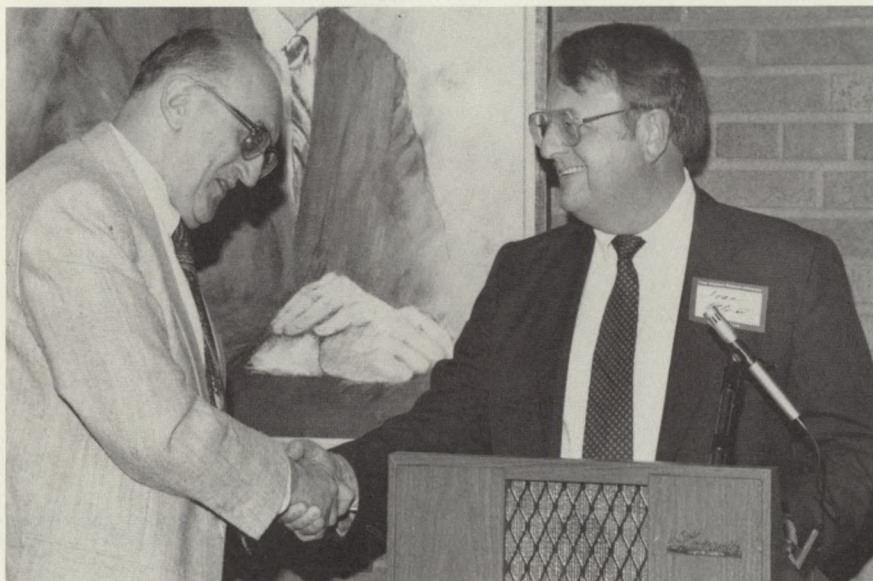
# 1988 Alumni Awards



## **Alvin I. Krenzler, '48** *Fletcher Reed Andrews Graduate of the Year*

U.S. District Court Judge Alvin I. Krenzler was named this year's winner of the Fletcher Reed Andrews Award, given annually by the legal fraternity Tau Epsilon Rho to an exceptionally distinguished graduate of the law school, one "whose activities emulate the ideals and accomplishments of Dean Andrews." Irvin M. Milner presented the award at the Alumni Weekend luncheon.

Krenzler's college education began at Ohio University and was interrupted by military service. He completed the A.B. degree at Western



## **Morris G. Shanker** *Distinguished Teacher*

Established in 1984 "to recognize a commitment to education and the pursuit of knowledge which has enriched the personal and professional lives of students," the Distinguished Teacher Award went this year to Morris G. Shanker. It was presented by Ivan L. Otto, '62, one of Professor Shanker's first students.

Shanker holds the B.S. in electrical engineering from Purdue University and both J.D. and M.B.A. degrees from the University of Michigan, where the law faculty awarded him the Coblenz Prize for the best law review writing in his senior year. He



## **Patrick M. Zohn, '78** *Distinguished Recent Graduate*

Since 1984 the Alumni Association has given an award annually to a graduate of no more than ten years who exceptionally fulfills one or more of four criteria: professional accomplishment, significant participation in professional activities, community service, involvement in law alumni affairs. Patrick M. Zohn, '78, is this year's Distinguished Recent Graduate. Classmate Richard Hardy (right in photo) presented the award.

Zohn came to the law school from West Liberty State College in West Virginia, where he graduated summa cum laude and still maintains close



Reserve University's Adelbert College and went on to an LL.B. degree in 1948. In 1963 he received the LL.M. in taxation from Georgetown University.

Most of Krenzler's career has been spent in public service, though he has practiced law in the intervals. After a year with the Ohio Department of Taxation he served from 1951 to 1956 as an assistant attorney general. In the early 60s he spent three years in Washington as a trial attorney for the Internal Revenue Service. Appointed to the Cuyahoga County Court of Common Pleas in 1968, he moved up to the state's appellate bench in 1970 and served there until December 24, 1981, when he became judge of the U.S. District Court.

Krenzler was instrumental in the founding of Cleveland State University and served as a CSU trustee from 1967 to 1970. He has also been a trustee of Hiram House, the Phillis Wheatley Association, Mount Sinai Hospital, and the Greater Cleveland Growth Association. He has been especially active on behalf of the retarded, chairing the Cuyahoga County Board of Mental Retardation (1967-70) and various citizens' levy committees, serving as a trustee of the Parents' Volunteer Association for Retarded Children and Adults, and serving from 1975 to 1980 on the Advisory Council of the Ohio Department of Mental Health and Mental Retardation. In 1985 he was elected to the law school's Society of Benchers.

practiced law in Cleveland for ten years with the firm of Grossman, Shlesinger & Carter before beginning his teaching career in 1961 at this law school. In 1972 he served as acting dean, and in 1975 he was named John Homer Kapp Professor. He has also held visiting appointments at the University of Michigan, Wayne State University, the University of California (Berkeley), and the University of London.

Shanker's teaching specialties include bankruptcy and commercial law. He has written and lectured extensively on these subjects, and his writings are frequently cited and commented upon both in the judicial and in the scholarly literature. From 1965 to 1976 he served as assistant reporter and later member of the

original Advisory Committee on Bankruptcy Rules of the United States Judicial Conference. He is frequently called upon as an arbitrator, and he is a member of the National Bankruptcy Conference and the American Law Institute.

ties, serving on that alumni association's board of directors. After taking his law degree in 1978, he practiced briefly with Roudebush, Brown & Ulrich, spent a year on the CWRU staff as assistant director of development for Case Institute of Technology, then in 1980 took a position with the Cleveland office of the U.S. Department of Labor, where he now is a supervisory trial attorney.

His service as an alumnus of the law school has been prodigious. Besides acting as class agent and reunion organizer, he chaired the Annual Fund Telethon for three years, chaired the fund itself in 1987-88, and in 1986-87 was vice president of the Alumni Association. He can claim the record for consecutive nights at Telethon and probably has

no serious challenger.

Aside from his service to the law school, he is a member of the Speakers Bureau of the Greater Cleveland Growth Association and a staff member of the Cleveland National Air Show. He has acted as commissioner of the Cleveland Bar Association's Lawyers Softball League and continues active participation in the league as manager of the Cleveland Indigents.



# Two Donors Honored at Open House

Following the Alumni Weekend luncheon, the Law School Clinic and the Law Review each held an open house to show off their new ground-floor space to visiting alumni and to honor an especially generous and supportive alumnus.

Two plaques were unveiled that afternoon. One recognizes "George '58 and Roma Aronoff for their generous support in establishing an endowment fund for the benefit of the Law Review." And the other honors "Marvin Feldman of the Class of 1955 for his generous support of the Law Clinic."

Both Aronoff and Feldman have served on the law school's Visiting Committee. Both were inducted in 1986 into the Society of Benchers. Both hold bachelor's degrees from Western Reserve University's Adelbert College. Aronoff is now managing partner of Benesch, Friedlander, Coplan & Aronoff, the firm that he joined immediately upon his graduation. Feldman is an exceptionally active labor arbitrator.

Over the years, as more and more of Feldman's time went into arbitration and less (now perhaps one percent) into law practice, he saw the dust gathering on his law books and he thought of offering them to the law school. Professor Peter Joy, director of the Law School Clinic, was pleased to accept such sets as *Ohio Forms of Practice and Procedure*, *The Art of Advocacy*, *Defense of Drunk Driving Cases*, *American Jurisprudence*, and *American Jurisprudence Proof of Facts*. Joy estimates that, over time, Feldman has added well over 300 volumes to the clinic's collection. "He even donated two memory typewriters," Joy says, "and he has promised to help us with fund raising when we're ready to create a clinic endowment."

George Aronoff, who graduated first in his law class and scored highest that year on the Ohio bar exam, looks back on his *Law Review* experience as a high point of his legal education and a central element in his later success. He was pleased when his two sons (James, '84, and Steven, '86) followed him through the law school and both worked on the *Law Review*. Jim, in fact, was editor in chief.

Here it should be added that Roma (Mrs. George) Aronoff claims CWRU alumna status as a graduate of Flora Stone Mather College, and that both daughters-in-law are graduates of the law school. Jim's wife is Karen Feibel Aronoff, '85, and Steve's wife is Laurie Eigner Aronoff, '86.



Alva and Marvin Feldman, '55.



Standing: Steve Aronoff, '86; George Aronoff, '58; Roma Aronoff, Flora Stone Mather '56; Jim Aronoff, '84; Dean Peter Gerhart. Seated: Karen Feibel Aronoff, '85, and Andrew, '56, Jim's wife and son. Missing: Laurie Eigner Aronoff, '86, Steve's wife.

Editor in chief Adam Hall said that income from the Aronoff Fund may be used for scholarships for editors and associates. Or it may help to bring speakers to the law school whose talks can be published in the *Law Review*. Other possibilities are

awards at the year-end banquet and expanded opportunities for travel to the National Conference of Law Reviews. Whatever the allocation, said Hall, "the establishment of the Aronoff Fund means a great deal to the *Law Review*."



## Class of 1938

Despite having hosted the 45-year reunion back in 1983, Fred and Betty Cox invited the class to their home in Beachwood to celebrate the big 50. Of 34 class members still on the mailing list, 12 were at the party, including Marvin Krichman from California, Frank Gedeon from Florida, Bob Munn from Columbus, and Bob Morton from Youngstown. Cox, Krichman, Fran Feighan, Irv Pohl, and Ivan Miller made up the planning committee.



*Top row: Bob Morton, Bob Rybolt, John Calfee. Next row: Ivan Miller, Frank Gedeon, Vince Arnold, Fred Cox. The lower five are Bob Munn, Irv Pohl, Marvin Krichman, Milton Garrett, and Bob Boes.*



*Standing: Lou Tucci, John Carney, Dean Peter Gerhart, Dick Weygandt, Bob Longano, Bob Grisanti. Seated: Anne Tucci, Gloria Longano, Gloria Weygandt, Marti Grisanti.*

## Class of 1943

Bob Longano, Lou Tucci, and John Carney organized the very first reunion that their class had ever had. With Bob Grisanti and Dick Weygandt (from West Virginia), they had better than 40 percent of the class in attendance at the Cleveland Skating Club. Yes, it was a small class to begin with and very much the smallest of the reunions—but one of the happiest.



## Class of 1948

The graduates of 1948 think of themselves not as a single class, but as the classes (roughly equal in size) of February, June, and September. Nevertheless, we group them together nowadays, and with 175 still on the mailing list they are very much the biggest law school class before the 70s or 80s. Exactly a third of the class, plus spouses and friends, came to the Union Club for a dinner sponsored and underwritten by Proctor Jones and Bob Fay. Others active in the planning were Dick Chenoweth, John Corrigan, Byron Fair, Frank J. Gorman, Jim Hoffman, Oscar Hunsicker, Marv Koblentz, Al Krenzler, Blanche Krupansky, Bob Lewis, Don MacDowell, Phyllis Fatica Mancino, Charles Richey, Leonard Schur, John Smeltz, Zelda Stuta, Larry Traeger, Larry Turnock, and Frank Vargo. Travelers included Jones and Marvin Neben from California, George Gardner and Albert Ohralik from Virginia, MacDowell and Richard Kay from Florida, Fred Becker from Texas, and Richey from Washington, D.C.



*Proctor Jones and Bob Fay. In the background, Stanley and Carol Baranowski.*



*Richard Kay, Phyllis Fatica Mancino, Leonard Schur.*



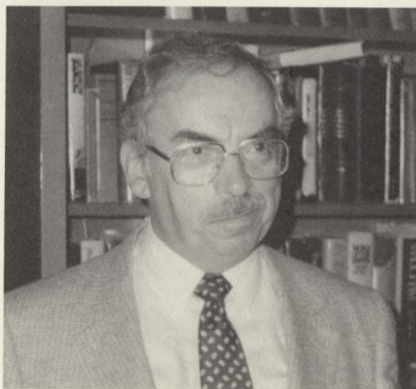
*Richard Cerrezin, Barbara and John Smeltz, Byron Fair.*

## Class of 1953

Lew and Shirley Einbund hosted the 35-year party at their home, as they had hosted the reunion 5 years ago. Better than a third of the class turned up, including Joe Wilson from Ashland, Lloyd Colenback from Toledo, and Mel Blum all the way from California. In addition to Einbund, the planning committee consisted of Wilson, Blum, Clarence Holmes, Herb Hoppe, Charles McCrea, Ron Penner, Shelly Schecter, Gene Selker, Jack Shelley, Ken Snyder, Howard Sokolsky, and Harold Ticktin.



*Ron Penner, Marshall Nurenberg, Howard Sokolsky.*



*Harry Stein*



*Kenyon Snyder*



## Class of 1958

If there was a prize for best attendance, the class of 1958 won it with 46 percent. George and Roma Aronoff hosted the group at their home, and the planning committee included Aronoff, Jim Berick, Bill Falsgraf, Ray Grabow, Stan Keller, Tom McGuire, George Moscarino, Dave Perelman, Jack Shoffner, Al Sims, and Gene Stevens. If there was a distance prize, George Limbach (San Francisco) won it, narrowly nosing out Joe Meyers (Virgin Islands) and Charlie Stevens (Phoenix), and running well in front of Jack Shoffner (Indiana) and Tom Unverferth (Ottawa, Ohio).



Tom Dugan



Dave Perelman and George Limbach



Tom De Chant, Judie Perelman (in background), Jacque Haines, former Professor Bob Bensing.



Joe Meyers, Dave Cook, and Dick Bates.

## Class of 1963

Guided by ringleaders Fred Friedman, Marty Murphy, Bill Papenbrock, Len Piotrowski, and Ron Gordon, the class of 1963 celebrated the silver anniversary by returning to the scene of their crimes—Minnillo's, now somewhat upgraded and known as the Greenhouse restaurant. Piotrowski was here from Virginia, Mike Rose from Columbus, and George Darmstatter from South Carolina. We calculated attendance at 38 percent. Vice Dean Dan Clancy, '62 and thus their senior, kept them all in line.



Standing: Fred Friedman, Leonard Piotrowski, Takashi Ito, Dennis Fedor, Bob Schifko, Marty Murphy, Vice Dean Dan Clancy ('62). Sitting: George Darmstatter, Chuck Lissauer, Allen Franks, Ron Gordon. Kneeling: Dave Simiele, Mike Grdina, Bill Papenbrock.



## Class of 1968

Bill and Barbara Valis volunteered to host the reunion (again!), and Bill Leatherberry recruited a big committee: Sarah Morris Brown, Mario Ciano, Bob Crump, Janet Leslie Daniels, Larry Faigin, Bennett Falk, John Flynn, Bernie Goodman, Bob Gutin, Bob Horst, George Miller, Vaughn Tittle, and Fred Watkins. Coming from out of town for the party were Neil Baron (New York), Al George (Vermont), Bob Kolesar (Nevada), Dave Strand (California), and Ohioans John Flynn (Cincinnati), Andy Hutyera (Cadiz), and Mike O'Malley (Ottawa).



*Hosts Barbara and Bill Valis; Dan Hudak; Marty and Joan Parks.*



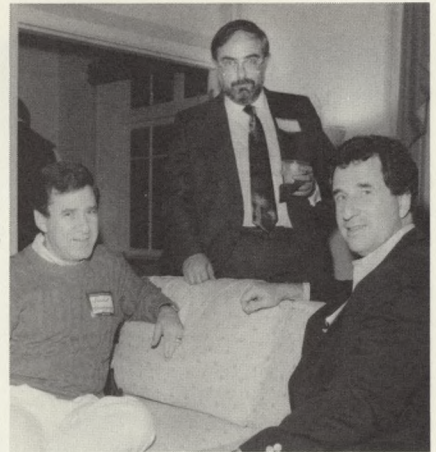
*Bob Kolesar and Jerry Foust*



*Bob Rubin, Bill Leatherberry, Al George, Dan Hudak.*



*Wilma Watkins, Eileen Coffey, Fred Watkins, Professor Ron Coffey.*



*Dave Rosenzweig and Neil Baron on the couch; Al Kretzer standing.*



*Two Andys, Lukeso and Hutyera.*



## Class of 1973

Larry Carlini, Susan Jaros, Mark Swary, and Steve Webster began the planning and recruited others to help: Ed Boles, Gary Brackett, Bruce Gordon, Mike Magness, Marcy Newman, Randy Solomon, Ron Stocker, Steve Weingrad, Chuck Weller, Miles Zaremski. Larry and Andi Carlini bravely opened their home to a horde that included travelers from New York (Magness, Fred Anthony), Massachusetts (Brackett, Bernie Monbouquette), Illinois (Newman, Fred Braun), Vermont (George Wenz, Mike Ruschell), Pennsylvania (Steve Whinston), D.C. (Susan Braden), and Florida (Gordon, Rick Campbell).



*Susan Stevens Jaros peeking over the shoulders of hosts Andi and Larry Carlini.*



*Bernie Monbouquette and Alan Rudnick. In the background, Wendy Monbouquette and Ellen Brackett.*



*Terry and David Snow, Gary Brackett.*



*Geoff Barnes, Barbara Rudnick, Stan Jaros.*

## Class of 1978

Ann Womer Benjamin and Pat Zohn both wanted to host the 10-year reunion and Ann won (lost?); she and her husband David ('77) packed some 100 persons into their outer-suburban home in Aurora. Travelers included Joy Koletsky and Ted Gup from D.C.; Rick Solomon and Read Rankin from New Jersey; Dave Edmunds, Dave Roberts, and Richard Schager from New York; Holly Mitten and Diane Citron from California; Pat Mell from Philadelphia; Ben Riek from Texas; Cynthia Smith from Georgia, and two from the state of Washington—Michael Jacob and Dwight Williams. Of the large planning committee—too many to name—the most active members (aside from the hostess) were Bruce Belman, Gary Boncella, Diane Schwartz, Leo Ward, Pat Zohn, Paige Martin, Dennis Pilawa, and Tim Grendell.



*Pat Mell and David Edmunds*



*Tom Victory, Rich Solomon, and Michael Pincus.*



*Janice Edgehouse Rieth, Diane Citron, Karen and Chuck Moellenberg, Ann Womer Benjamin, Pat Zohn.*



## Class of 1983

The 5-year class made a weekend of it with a party Friday night at Katy and Guy Mercer's, a Saturday night bash in the Flats, and a volleyball game in between. The most active members of a committee too huge to list were Kathy Beder, Margaret Gudbranson, Stacy Ballin, Denise Bell, Mark Gamin, Wally Krohngold, Jay Goldblat, Richard Ross, Jack McConnell, and Laura Shunk. Out-of-staters included Joni Ackerman, Margaret Grover, and Bob Drexler from California; Bill Geary, Bill Talley, Jack McConnell, Ken Ginsberg, and Mark Arons from New England; Miriam Shire and Vic Romanov from New York; Susan Estill from Minnesota; George Springsteen, Clayton and Joy Paterson, Mike DeSantis, and Amy Zoslov from Washington, D.C., and environs; and downstate Ohioans Mark Weisser, Jim Curphey, and Leland Evans.



Margaret Gudbranson and Kathy Xinakis Beder were the chiefs in charge of arrangements at Shorty's.



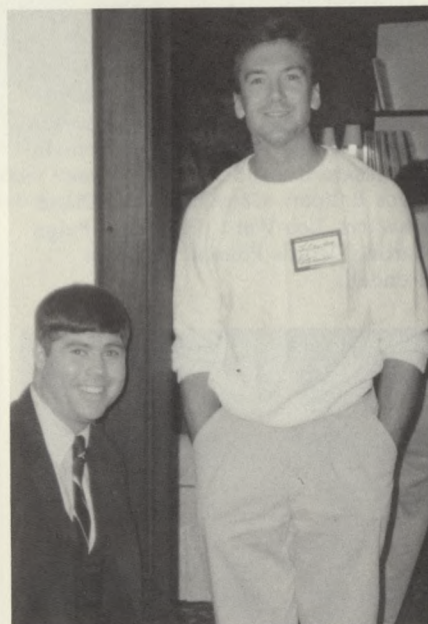
George Springsteen, his guest Lisa Hook, Stacy Ballin, Bradley Corder ('90), Mike DeSantis, Steve Marrer.



Amy Zoslov and (despite Wally Krohngold's nametag) Michael Curtin.



The scene at Shorty's



Dan Donovan, Clayton Paterson.



# New Alumni Officers

At the Law Alumni Association's Annual Meeting at the Alumni Weekend, a new slate of officers was elected for the year 1988-89: John S. Pyle, '74, president; Stuart A. Laven, '70, vice president; Sara J. Harper, '52, secretary; Ann Womer Benjamin, '78, treasurer.

Pyle began his career as a prosecutor, first for Cuyahoga County and then as an assistant U.S. attorney, and now practices criminal defense with Gold, Rotatori, Schwartz & Gibbons. He is a trustee of the Cleveland Citizens League and has chaired the Criminal Law Committee of the Cleveland Bar Association and the Criminal Law Section of the Ohio Academy of Trial Lawyers.

Laven is a partner in the Cleveland firm of Ulmer & Berne; he has chaired the Cleveland Bar Association's Securities Law Committee and

its Eleventh Securities Institute. Womer Benjamin, who continues as treasurer for a second year, practices with Arter & Hadden; she began her career in Canton with Black, McCuskey, Souers & Arbaugh. Harper is a judge of the Cleveland Municipal Court. She is the first female military judge in the history of the U.S. Marine Corps Reserve. And she was the first black woman to graduate from the law school.

The association also elected eight new members to its Board of Governors. Three are Clevelanders: Herbert J. Hoppe, '53, a Rocky River practitioner (who practiced nearly twenty years with what was then Ziegler, Metzger, Miller & Hoppe); Gerald A. Messerman, '61, who practices with his wife Gale as the junior partner (he says) of Messerman & Messerman; and Roland H. Strassho-

fer, '50, a labor arbitrator. A fourth, Margery B. Koosed, '74, is a Cleveland by residence but teaches law at the University of Akron.

Other new governors are Napoleon A. Bell, '54, a longtime Columbus practitioner now serving as counsel to the governor; Margaret J. Grover, '83, McKenna, Conner & Cuneo, San Francisco, California; Nancy A. Hronek, '82, Legal Aid Society, Hartford, Connecticut; and C. David Zoba, '80, Arter Hadden & Witts, Dallas, Texas.

The new governors will serve three-year terms. They replace Bruce Alexander, '39; John M. Gherlein, '80; Ernest P. Mansour, '55; Patricia Mell, '78; Leo M. Spellacy, '59; Ralph S. Tyler, '75; Charles W. Whitney, '77; and Diane Rubin Williams, '72.

## Canada/U.S. Law Conference

Once again the Canada-U.S. Law Institute has announced a major spring conference, organized and chaired by its U.S. director, Professor Henry T. King, Jr. This latest in its annual series will be held April 14-16. The subject is Comparative Legal Aspects of the Environment for Innovation in the Canada/U.S. Context.

As *In Brief* goes to press, some of the program is still tentative. For further and more up-to-date information, telephone Professor King or his assistant, Patricia Hujarski, at 216-368-2083.

### Friday, April 14

*The importance of innovation to Canada/U.S.: Where do we stand now in the world competitive context?*

Paul Oreffice—Dow Chemical Corporation, Midland, Michigan.

*The process of innovation*

Mary Jo Veverka—Booz, Allen & Hamilton, New York.

*The role of the venture capital company in innovation*

Raymond J. Herpers—BCE Ventures, Toronto.

*Luncheon: The context for innovation in Japan*

Kazuo Nomura—InTecTran, Washington, D.C.

*Legal aspects of organizing and raising capital for innovation*

James Bodurtha—Squire, Sanders & Dempsey, Cleveland.

J. Michael Robinson—Fasken & Calvin, Toronto.

*Comparative product liability aspects of innovation*

George S. Frazza—Johnson & Johnson, New Brunswick, New Jersey.

Bruce A. Thomas—Cassels, Brock & Blackwell, Toronto.

*Commentary: Status of and prospects for federal product liability legislation in the U.S.*

Randolph J. Stayin—Barnes & Thornburg, Washington, D.C.

*Dinner: The spirit of innovation*

Lester C. Krogh—3M Corporation, St. Paul, Minnesota.

J. D. Fleck—Fleck Manufacturing, Toronto.

### Saturday, April 15

*Protecting innovative technology for goods and services both here and abroad*

Jules Jancin, Jr.—IBM Corporation, Washington, D.C.

Peter McBurney—Sim, McBurney, Toronto.

*Exploiting innovative technology in offshore markets*

Leonard B. Mackey—ITT Corporation, New York.

Canadian speaker and commentator t.b.a.

*Luncheon: The current and future context for innovation in the EEC*

Albert Strub, EEC Commission, Brussels.

*The role of the Canadian and U.S. governments in encouraging innovation*

D. Bruce Merrifield, U.S. Department of Commerce, Washington, D.C.

Robert Blackburn, Department of Industry, Science, and Technology of Canada, Ottawa.

*People aspects of innovation*

Arthur J. Schwab—Reed, Smith, Shaw & McClay, Pittsburgh.

Phillip Ericksen—Northern Telecom, Mississauga, Ontario

*Dinner: The changing world legal context for innovation*

Michael K. Kirk—U.S. Patent Office, Washington, D.C.

Canadian Speaker t.b.a.

### Sunday, April 16

*A look at the future: Where should we be headed and what do we need to do to get there?*

Pat Choate—TRW, Inc., Washington, D.C.

*Where do we go from here?*

Professor Henry T. King, Jr.



# Adelstein Scholar in Residence

The Stanley I. and Hope S. Adelstein Environmental Law Award Fund, which in the past has provided student awards and books for the law library, is doing something new this year. It is bringing Joseph L. Sax to the law school on April 3 and 4 as scholar in residence. Sax is the House and Hurd Endowment Professor at the University of California School of Law (Boalt Hall) at Berkeley. Besides meeting with students and faculty, both formally and informally, he will deliver a public lecture (date and time to be announced).

Among Sax's many published writings are *Water Law, Planning & Policy*

(1968), *Defending the Environment* (1971), and *Mountains Without Handrails* (1980), which won the 1981 University Press Book Award. Before he joined the Berkeley faculty in 1987 he taught for more than twenty years at the University of Michigan; he has held visiting appointments at Stanford and at the University of Paris. He holds the A.B. degree from Harvard and the J.D. from Chicago, where he was editor in chief of the law review.

Stanley Adelstein, who with his wife established their endowment fund in 1981, is a 1946 graduate of the law school and a principal in the

Cleveland firm of Burke, Haber & Berick. He serves on the school's Development Council and was elected in 1987 to the Society of Benchers.

The Adelstein Environmental Law Award is given every year to the student who prepares the best paper in that field. The 1988 winner was a second-year Lisa Stevens, whose essay was titled "The Endangered Sandlot: The Need for a Local Voice in the Siting of Hazardous Waste Disposal Facilities." Stevens is spending her third year in residence at the University of New Mexico.

## A Strategic Plan for CLE

by JoAnne Urban Jackson  
Consultant  
Office of Continuing Legal  
Education

When Dean Gerhart asked me to develop a strategic plan for CWRU's CLE efforts, he and I talked about identifying the needs of Ohio attorneys, and particularly CWRU alumni. These needs include not only the subject matter for seminars, but also location, scheduling, and price. The dean named both faculty and practitioner advisory committees to talk with me about the kinds of programs that are needed. In addition, a number of CWRU alumni have shared their ideas with me.

As you can imagine, the range of expressed needs is broad, cutting across every substantive area of law and every competence level from new graduate to esoteric specialist. And across the subject areas are needs for training in legal skills of interviewing, negotiating, legal writing, and all phases of trial work. Other, newer needs reflect changing times in our profession: law firm management training, marketing, and career development.

No one CLE provider can meet all these needs, and some kinds of programs are better done by state and local bar associations. As a law school, CWRU must focus on those areas where its experience and expertise can make the greatest contribution. Ideally a law school's CLE program will bridge the gap from J.D. to practice and will form the core of an attorney's lifelong self-education after law school. It also makes sense for a law school CLE program to draw on the school's special strengths—in our case, the Law-Medicine Center, the

Mandel Center for Nonprofit Organizations, the Canada-United States Law Institute, and the Center for Professional Ethics. CLE can draw upon these resources and simultaneously enhance their efforts.

Some of our planning for CLE programs has been delayed while we waited for the newly formed Ohio Supreme Court Commission on Continuing Legal Education to issue regulations. At this writing, the proposed regulations have just been sent out for comment and final regulations probably won't be adopted until after January, 1989. Both Dean Gerhart and I have been communicating with the commission about Rule X and the proposed regulations. One very positive step has been the provisions in the proposed regs that ABA-accredited law schools be recognized as Established Sponsors whose entire CLE program will qualify for mandatory CLE credit. That broad assurance of credit for programs we sponsor makes it easier for us to plan for innovative seminars and conferences using a variety of formats, including live video and videotape.

Our spring CLE programs will include half-day and full-day programs, as in the past, and some additional in-depth efforts as well. The first of them will be a 12-credit-hour program on the Development of a Labor Arbitrator which begins in January. This course will be a initial effort into an area where we hope to develop an in-depth annual or biennial seminar to meet the needs of this segment of the bar. This particular program developed from the fact that several attorneys expressed a need for training and several practitioners expressed an interest in presenting a program. Our presenter will be Marvin J. Feldman, '55 [see page 24].

The CLE office needs more ideas from alumni on programs and speakers. CLE director Kenneth Margolis, '76, has already asked alumni to share ideas and I want to repeat that request. If you or someone in your firm has experience in presenting a CLE course, we'd like to know about it. Likewise, if you've heard a particularly outstanding CLE presenter, we'd like you to let us know. We can put together more CLE programs more quickly and with best results if we have a pool of qualified presenters to draw from. You can call us at 368-6363 or write to Ken Margolis at the CWRU School of Law, 11075 East Boulevard, Cleveland, Ohio 44106.



# Visitors to the Law School

Two lecture series brought distinguished visitors to the law school during the fall semester. Through the Sumner Canary Memorial Lecture-ship we had Jeane J. Kirkpatrick in October and Benno C. Schmidt in November. Also in November, the Norman A. Sugarman Tax Lecture-ship brought us Congressman Don J. Pease.

Kirkpatrick has been Leavey Professor at Georgetown University and senior fellow at the American Enterprise Institute since she left her cabinet position (as U.S. representative to the United Nations) in 1985. She spent some time at the law school in discussions with students on issues constitutional law, then delivered an address on foreign policy at Severance Hall.

Schmidt, president of Yale University and former law dean at Columbia University, likewise spent time with students; he met with the Mass Media Law and American Legal History classes. His lecture, in the Hostetler Moot Courtroom, was on "The Enigma of Mr. Justice Holmes."

Kirkpatrick and Schmidt were the latest in a distinguished series that has included former attorney general Griffin Bell, former ambassador and Yale University president Kingman Brewster, Justice Sandra Day O'Connor, (then) Chief Justice Warren Earl Burger, and U.S. Court of Appeals Judges A. Leon Higginbotham, Jr., and Richard A. Posner.

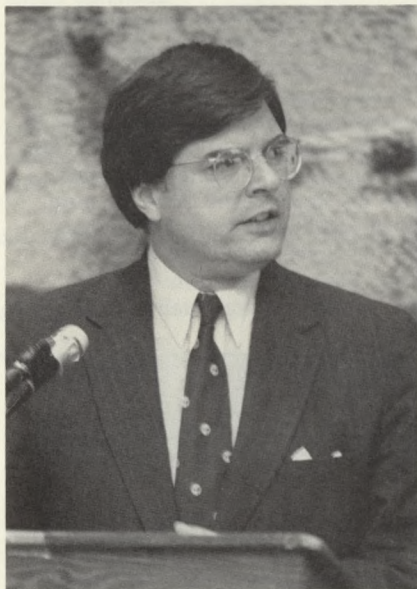
The lecture series honors the memory of Sumner Canary, '27, who practiced law in Cleveland, served as U.S. attorney here, and in 1967 was appointed to the Ohio Court of Appeals. When he died in 1979, his unrestricted bequest to the law school was used to establish a lectureship fund, since augmented by his widow, Nancy Halliday Canary (herself an attorney with Thompson, Hine & Flory) and friends and colleagues.

The Sugarman Tax Lectureship was established by Norman A. Sugarman, '40, before his death in 1986. In recent years the law school has shared its Sugarman Lecturer with the Cleveland Bar Association's annual Tax Institute, and Congressman Pease continued the practice. He also met with tax classes at the law school. Pease, a member of the Ways and Means Committee, has represented the 13th Ohio District (just west of Cleveland) since 1976.

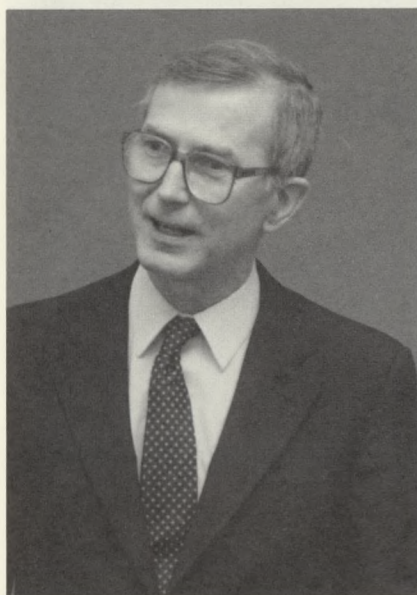
Last year's Sugarman Lecturer was Professor John K. McNulty of the University of California; William F. Nelson, chief counsel of the Internal Revenue Service, was here in 1986.



Jeane Kirkpatrick



Benno Schmidt



Don Pease

## CWRU Stands Out in National Law Firm Hiring

If you have scanned *In Brief's* placement reports on recent graduating classes, you may have noticed that the law school's new graduates are doing very well indeed in the national job market. Statistics published in *Of Counsel*, September 5, 1988, confirm that impression.

*Of Counsel* polled a number of leading law firms across the country, asking them to name the second- or third-tier schools from which they had hired first-year and summer associates within the past two years. "First-tier" schools were defined as the 15 listed by *U.S. News & World Report* as highest-ranked by law school deans.

Case Western Reserve made the resulting top 10 "second-tier" schools: it was named by 11 of the responding firms as the source of first-year associates. What's especially striking is that 9 of the 11 firms were outside our geographic region.

The 10 schools, in the survey's order and with their enrollments in parentheses, are George Washington (1446), Boston University (1298), University of California at Hastings (1475), Northwestern (600), Vanderbilt (541), Emory (680), Fordham (1335), Wisconsin (905), Minnesota (775), CWRU (676).



# News of Admissions

by *Barbara F. Andelman*  
Director of Admission and  
Financial Aid

Having just completed my first recruitment season as admission director, I have a few observations and first impressions to share with you.

First, law school applications—nationally—are on the rise. The number of those taking the October LSAT was up 12 percent over last year, and the overall increase for the year is predicted to be at least 15 percent. From my conversations with prospective law students and pre-law advisers around the country, I would attribute the rise to three factors.

1) Pre-med majors are switching loyalties and applying to law schools. Rising malpractice insurance, a perception that the image of the medical profession is not what it once was, and warnings of physician parents have discouraged many high achievers from medical careers. 2) Recent college graduates who had hoped for careers in business and finance had their confidence shaken by the stock market plunge in October 1987 and are looking to law for greater career stability. 3) And I kid you not—the popularity of NBC's *L.A. Law* is part of the explanation.

Second, the academic excellence and increasingly national reputation of Case Western Reserve Law School continue to draw outstanding candidates. Traditionally our strongest applicant market outside of Ohio has been the Northeast. While we are by no means abandoning our Ohio/Northeast base, we are increasing our recruitment efforts elsewhere, especially in the South and the West. Alumni have been a terrific source of information and assistance—speaking with pre-law clubs, telephoning accepted applicants, representing us at recruitment fairs, even treating an especially promising candidate to lunch. Such contacts prove to potential students that our alumni can find placement throughout the country.

Third, I anticipate that the credentials of our next entering class will be stronger than ever. We can be increasingly selective; we continue to hold the class size at around 225, but as of December 1 our applications were up significantly. And the number of LSAT high-scorers is increasing: the percentage scoring 42 or above has gone up from 4.7 to 6.7. This increase in top-quality appli-

cants especially benefits such selective schools as CWRU. Another benefit to us is a 3 percent increase in the percentage of older (i.e., over 25) test takers; we will be able to seek greater diversity in our entering classes.

Finally, I should tell you a little about the outstanding entering class of 1988. Of the 225 entrants, 53 percent had been out of college a year or more. Among the 225 there are 26 advanced degrees, including 2 PhDs, 5 MBAs, 2 MPAs, an MSN, an MSW, and assorted MA and MS degrees. The average age is 24; our oldest first-year student is 43. They come from 27 states, several foreign countries, and 110 undergraduate institutions. Nearly half are women, and 10 percent are minorities.

We welcome alumni participation in the recruitment process. If you would like to help—for example, by meeting with a pre-law club in your area or by telephoning or meeting with accepted applicants—please turn to page 39 and complete the return card for the Office of Admission.

## A New Alumni Directory

Have you noticed that your 1986 Law Alumni Directory is a little out of date?

Plans are under way for a new one. Very soon the law school will mail every graduate a computer-generated form showing the address information (both home and business) currently in our system and asking for verification or correction. We will spend the spring processing the returned questionnaires, and as soon as the May 1989 graduates can be added to the system we'll "download" the whole mass of information for automatic typesetting.

The new directory will be essentially similar to the 1986 edition unless someone has a good idea for making it better. If you have a suggestion, call or write Kerstin E. Trawick, Director of Publications and External Affairs, CWRU School of Law, 11075 East Boulevard, Cleveland, Ohio 44106, 216/368-3860.

Although we mailed the 1986 directory to every graduate at no charge, we have decided, regretfully, that the law school cannot again incur such an expense. Instead, your directory questionnaire will give you the opportunity to order your copy and will ask you to enclose a check. The charge is as yet undetermined, but it will be as modest as we can make it.

## New Book Lists Faculty Publications

The law school recently put together a complete listing of publications by its faculty, an impressive 56-page document. Every regular full-time faculty member is represented, and each person's *oeuvre* is presented by category, e.g., law review and other scholarly articles, books, book chapters, book reviews, and newspaper, newsletter, and magazine articles.

The school will be pleased to send a copy on request. If you would like one, call (216/368-3283) or write the Office of the Dean, CWRU School of Law, 11075 East Boulevard, Cleveland, Ohio 44106.



# Minority Recruitment Conference

by Cecilie Williams  
Administrative Assistant to the  
Conference

The second annual Midwest Minority Recruitment Conference sponsored by the National Black Law Students Association and the National Association for Law Placement was a great success. Held in October, it brought about 200 students—a 35 percent increase over last year—from 38 midwestern law schools to meet with employers from 56 firms, corporations, and government agencies from around the country.

The Minority Recruitment Conference was conceived by the law school's BLSA chapter and Midwest Regional Board last year under the leadership of Stephanie Mitchell, '88. Her commitment to the goals of the Conference was evident again this year as she served on the conference executive committee as the BLSA placement representative.

"The conference was created because the schools' placement offices generally were not meeting the needs of minorities, and we felt

we needed a forum for this purpose," said Kimberly Miles, '89, Midwest BLSA's regional director. Miles said she would like to see future conferences receive more financial support from outside sources. Several foundations have exhibited an interest.

Denielle Pemberton, '89, BLSA's sub-regional director for Ohio and Michigan, commented: "The number of minorities in the profession is very small, and if firms are actively seeking to add to their diversity, the conference gives them an opportunity to interview qualified candidates that they wouldn't normally get a chance to see. It also gives the students various options that they might not ordinarily consider."

Everyone involved with the development of this year's conference was delighted to see it go over so well. Students and employers alike were genuinely impressed with the commitment of the CWRU students and staff. Several students have already

received "fly-backs"—requests for second interviews at the firm's expense—and some have received offers for permanent employment or summer associateships. When all the results are in, BLSA will publish a detailed report.

John Harris, '89, president of the law school's BLSA chapter, was pleased with the school's support of the conference, especially the help given by placement director Richard Boger and his assistant Barbara Curley. "I think the Placement Department's involvement was very beneficial to the image of the conference," he said. He added that he feels the conference should be adopted by CWRU and billed as a CWRU/BLSA/NALP event. "Cleveland has one of the largest law communities in the nation, and it would do a lot for the image of the law school to keep this event based here."

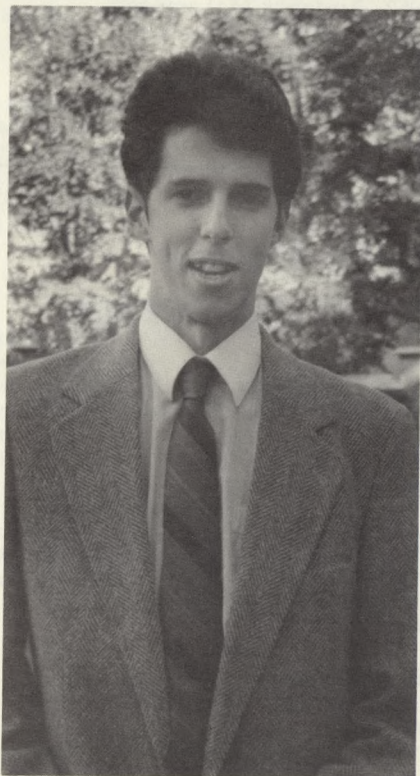
## Journals Name Editors

The law school's journals are pleased to announce their 1988-89 editors.

This year's editor in chief of the *Law Review* is Adam P. Hall. An '86 graduate (in history) of Ohio State University, Hall is a member of Phi Beta Kappa and is also a recipient of a Case Western Reserve Merit Scholarship. He has been employed with the Columbus firm of Brownfield & Cramer and also with Smith & Schenck in Dayton. Next year he will clerk for Judge S. Arthur Spiegel, U.S. District Court, S.D. Ohio.

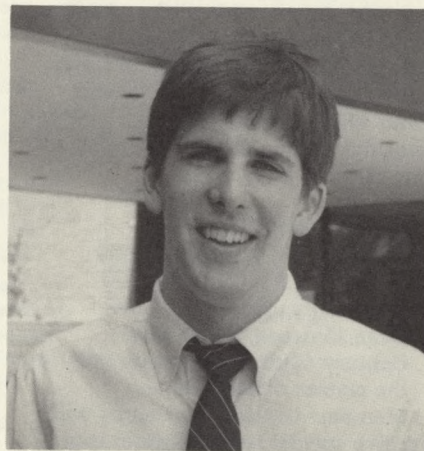
The new editor of *Health Matrix* is Richard T. Coyne, who holds a bachelor's degree in economics from the University of Dayton. Coyne says his immediate goal is to increase the quality of *Health Matrix*, as well as the number of subscriptions. He is interested in health care and insurance defense and hopes to practice law in Cleveland "and maybe get into national politics."

John T. Paxman is heading up the editorial board of the *Journal of International Law*. Paxman hails from Savannah, Georgia, where he spent some time with the firm of Adams, Gardner, Ellis, Inglesby & Falligunt. He spent his undergraduate years at Duke University, where he majored in political science. He looks forward



Adam Hall

to "a business practice with time to start up some personal business ventures."



Richard Coyne



John Paxman



# Fall Telethon Tops \$155,000

by Daniel L. Ekelman, '52  
Annual Fund Chairman

The 1988-89 Law School Annual Fund got off to an impressive start thanks to the dedication and determination of our hard-working telethon volunteers and the generosity of over 1,100 committed donors. Under the vigorous leadership of telethon co-chairs David D. Green, '82, Bernard D. Goodman, '60, and Edward Kancler, '64, 85 alumni, students, and staff members participated in the October telethon. They contacted 1,562 alumni and raised \$155,102—a 34 percent increase over the previous year's fall telethon total. Even more impressive statistically is the increase in "same people giving," which tells us that 1989 pledges have increased by 35 percent over last year! We are looking forward to this trend continuing throughout the year and resulting in the attainment of our \$445,000 goal.

As of December 1, contributions in hand totaled \$83,673 or 19 percent of our goal. Outstanding pledges totaling \$109,390 increase the percentage to 43. If you have not yet made your gift to the 1989 Annual Fund or if you would like to make an additional gift, you may send it to the attention of Janet Scott at Case Western Reserve University, School of Law, 11075 East Boulevard, Cleveland, Ohio 44106. I hope, too, that you will consider joining me as a member of one of our donor clubs:

President's Society—\$5,000

Dean's Fellow—\$2,500

Dean Andrews Club—\$1,500

Dean Hopkins Club—\$1,000

Dean Dunmore Club—\$500

Dean Finrock Club—\$250

Century Club—\$100 (open only to the classes of 1984-88)

Members of the donor clubs will receive special recognition in our 1989 Annual Report, and their names will appear on the handsome donor club register located in the upper rotunda of the law school.

For those of you who have already contributed to this year's fund, I thank you on behalf of the law school faculty and students. Your gift and your support are truly appreciated.

## 1989 Class Agents

1926—Elmer J. Babin  
1929—Clarence D. Murray  
1931—James A. Gleason  
1932—Earl P. Schneider  
1933—E. Clark Morrow  
1934—Eugene B. Schwartz  
1936—David I. Sindell  
1937—William R. Van Aken  
1938—Robert G. Boes  
1939—Sheridan H. Harwin  
1940—Bernard S. Goldfarb  
1941—Robert P. Eshelman  
1942—John J. Conway  
1944—Stanley M. Clark  
1945—Stanley M. Clark  
1946—Herbert W. Kane  
1947—Hal H. Newell  
1948—John E. Smeltz  
1949—Howard W. Broadbent  
1951—Fred Weisman  
1952—William M. Warren  
1953—Lewis Einbund  
1954—James J. Gilvary  
1955—William H. Wallace  
1956—Keith E. Spero  
1957—Joseph G. Schneider  
1958—Stanley S. Keller  
1959—Harold E. Friedman  
1960—Bernard D. Goodman  
1961—Alan I. Arnold  
1962—Frederick M. Lombardi  
1963—Leonard R. Piotrowski  
1964—Edward Kancler  
1965—Gary L. Bryenton

1966—Phillip Campanella  
1967—Gerald Kurland  
1968—Michael S. Yauch  
1969—William W. Allport  
1970—William B. Lawrence  
1971—John A. Demer  
1972—Alvin M. Podboy  
1973—Stephen C. Weingrad  
1974—Douglas J. Paul  
1975—Thomas F. McKee  
George L. McGaughey  
1976—James R. Strawn  
1977—Patricia M. Holland  
Frances F. Goins  
1978—Patrick M. Zohn  
Timothy J. Grendell  
1979—Kurt Karakul  
Jan L. Roller  
1980—Mary Anne Garvey  
Rosaleen L. Kiernan  
1981—Alexander M. Andrews  
David D. Carto  
1982—David Demarest Green  
Elizabeth Barker Brandt  
1983—Kathryn Sords Mercer  
Barry J. Miller  
1984—Robert F. Linton  
John M. Wirtshafter  
1985—Larry W. Zukerman  
Ann Harlan Young  
1986—S. Scott Lasher  
Steven K. Aronoff  
1987—Catherine M. Kilbane  
Brian R. Salata

## 1989 Donor Club Advocates

Century Club—

John E. Schiller, '84

Fred P. Schweg, '85

Dean Finrock Club—

Joel A. Makee, '69

Dean Dunmore Club—

Richard E. Guster, '55

Dean Hopkins Club—

Gerald S. Gold, '54

Thomas A. Heffernan, '64

Dean Andrews Club—

William L. Ziegler, '55

Dean's Fellows—

F. Rush McKnight, '55

President's Society—

Ernest P. Mansour, '55



# Class Notes

by Cecile Williams

## 1921

**Harry A. Blachman** has set some Shakespearean quotations to music and has sent the song to governors of all the states, to ministers of education in the Canadian provinces, and to such heads of state as Britain's Thatcher and Israel's Shamir. He believes that if his song were incorporated into school curricula it would lower the student dropout rate. So far the result of his effort is a stack of exceptionally gracious letters of acknowledgement, which Blachman shared with *In Brief*.

## 1934

**Willard Barry** has been appointed a practicing-attorney member of the Ohio Supreme Court Rules Advisory Committee for a three-year term. Barry practices in Cleveland.

## 1938

**Emil Farkas**, director of the National Labor Relations Board's regional office in Cincinnati, has been selected as one of the winners of the President's Meritorius Rank Award for Senior Executives. Recipients are chosen on the basis of their distinguished service in government.

## 1939 & 1949

Save the weekend of September 16 for your class reunion! Watch your mailbox for further details.

## 1951

**David A. Funk** is contributing editor of a book, *Group Dynamic Law: Exposition and Practice*, just published by Law Arts Publishers in New York. His earlier book, *Group Dynamic Law*, was published by the Philosophical Library in 1982. Funk teaches at the Indiana University School of Law—Indianapolis.

**Edward I. Gold** has been promoted to the position of assistant U.S. trustee for the Cleveland office of the U.S. Trustee for Region 9, which monitors the administration of bankruptcy cases in the Northern District of Ohio.

## 1954 & 1959

Save the weekend of September 16 for a class reunion! Watch your mailbox for further details.

## 1961

**Donald M. Robiner** has been certified as a Civil Trial Advocate by the National Board of Trial Advocacy. Robiner is a principal in the Cleveland firm of Schwarzwald, Robiner, Rock & Levin.

## 1962

**William A. Karnatz**, senior vice president of Cleveland's Society Bank, has been elected chair of the Board of Trustees of Marymount Hospital.

## 1963

**Martin J. Murphy** has become a fellow of the American College of Trial Lawyers. Membership is by invitation of the Board of Regents. Murphy is a partner in the Cleveland firm of Davis & Young.

## 1964

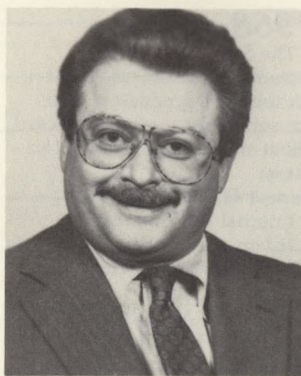
Save the weekend of September 16 for the 25-year reunion! Watch your mailbox for further details.

## 1965

**Harry T. Quick** has recently been admitted to the American College of Trial Lawyers. Quick is a partner in the Cleveland firm of Benesch, Friedlander, Coplan & Aronoff.

## 1966

**Paul Brickner's** review of Professor Lewis Katz's *Ohio Arrest Search and Seizure* (2d ed) has been published in a recent edition of *Judicature*. It is also to be published in the *Federal Bar News and Journal*. Brickner is an administrative law judge for the Social Security Administration Office of Hearings and Appeals in Cleveland.



**Mark J. Goldberg** has been elected President of the Pennsylvania Chapter of the American Academy of Matrimonial Lawyers. Goldberg is a principal in the Pittsburgh law firm of Gillotti, Goldberg & Capristo.

## 1967

**Marshall J. Wolf**, of the Cleveland firm of Wolf & Akers, has been named financial officer of the 16,000-member Family Law Section of the American Bar Association. He becomes the first Ohioan to be an officer of the largest divorce lawyers' group in the United States.

## 1969

Save the weekend of September 16 for the 20-year reunion! Watch your mailbox for further details.

**W. Jack Grosse**, former dean and current faculty member of the Chase College of Law, received the Distinguished Alumnus Award at an awards banquet held in Cincinnati last September. (His CWRU degree is an LL.M.)

In Cleveland, **Marvin L. Union** has been promoted to intellectual property counsel for the Eaton Corporation's Patent Law Department.

## 1972

**Karl G. Herold** has relocated to Jones, Day, Reavis & Pogue's Paris office for a three- to five-year assignment.

## 1973

**Susan G. Braden** is now a partner in the Washington, D.C., firm of Wilner & Scheiner.

**Ronald E. Stocker** was named chief prosecuting attorney in the civil division of the Stark County (Ohio) Prosecutor's Office.

## 1974

Save the weekend of September 16 for the 15-year reunion! Watch your mailbox for further details.

**E. Peter Harab** and his frog collection have made the news in Newark, New Jersey. According to an article published in the *Star Ledger* October 26, 1988, Harab has 3,000 frogs crammed into his Edison, New Jersey, condo. They're made of gold, silver, crystal, porcelain, paper, plastic etc., etc., etc. Harab is trademark counsel for American Home Products.

## 1977

**Thomas D. Anthony** has been selected to serve on the 1988 Southwestern Ohio Tax Institute Committee. The 29th Annual Institute was held in December in Cincinnati.

## 1978

**Bruce Belman** was promoted to partner with Touche Ross in September. Belman is in the Cleveland office.

## 1979

Save the weekend of September 16 for the 10-year reunion! Watch your mailbox for further details.

**Donald F. Barney** has recently been elected to the Board of Trustees of the Cleveland Health Education Museum and will also serve on the museum's Investment Committee.

## 1980

**Karen S. Gerstner** is a partner in the law firm of Dinkins, Kelly & Lenox in Houston, Texas. Gerstner serves as co-chairman of the State Bar of Texas Committee to Revise the Texas Guardianship Statutes.

## 1981

**David C. Indiano** has become a partner of Jimenez, Graffam & Lausell in Hato Rey, Puerto Rico.

**Scott M. Watson** is delighted to be returning home to Cleveland to begin his new job in the Justice Department's Antitrust Division as a trial attorney. He has been an assistant Franklin County prosecuting attorney for the past two years.



## 1983

**Mark D. Arons** joined the firm of Ginsburg & Ginsberg in West Haven, Connecticut.

**Arthur R. Braitman**, an avid amateur photographer, won first, second, and third prizes in the annual photography contest sponsored by *Shingle*, the journal of the Philadelphia Bar Association. Braitman is an associate with the office of Jerome Taylor.

**Diane V. Jennens** is with the Toledo firm of Shumaker, Loop & Kendrick, doing commercial lending and real estate work.

## 1984

Save the weekend of September 16 for the 5-year reunion! Watch your mailbox for further details.

**John M. Wirtshafter** has recently been appointed chairman of the Business and Tax Law Committee of the Cuyahoga County Bar Association. Wirtshafter is with the Cleveland firm of Benesch, Friedlander, Coplan & Aronoff.

**Susan J. Woodward** was married on October 8 and is now **Susan J. Demaske**.

## 1986

Since September 1987, **Elizabeth Gross Jacobs** has been with the law firm of Shawe & Rosenthal in Baltimore, Maryland, representing management in labor and employment matters.

## 1987

**Stephen A. Douglas** was recently appointed chief of legal assistance for the U.S. Army's Fort Jackson, and was promoted to Captain this past September.

## 1988

The September issue included a placement report for the 1988 graduates. Here are some jobs that we've heard about since that issue went to press.

**Ernest D. DeFoy**

Internal Revenue Service  
Indianapolis, Indiana

**Marjorie Beth Leffler**

Hurley & Vasios  
Short Hill, New Jersey

**Stephanie R. Mitchell**

Office of Attorney General  
Columbus, Ohio

**Dennis P. Sawan**

Gallon, Kalniz & Iorio  
Toledo, Ohio

**Kathryn Ann Springman**

Hill, Fulwider, McDowell,  
Funk & Matthews  
Indianapolis, Indiana

**Richard E. Wolfson**

Cleveland Public Theatre  
Cleveland, Ohio

## IN MEMORIAM

Michael Button, 26

November 16, 1988

Frank P. Celeste, '31

November 10, 1988

Arthur W. Loehr, '32

November 13, 1988

Arthur W. Fiske, '33

Society of Benchers  
November 14, 1988

John Howland, '36

November 22, 1988

Edward D. Wyner, '39

September 10, 1988

Ross Vaughn Tittle, '68

October 7, 1988

## Alumni Tours

The university's Office of Alumni and Parent Relations invites alumni and friends to participate in its travel program. Here is the schedule:

**Orient and Java Seas**, February 16-March 5

From \$3,398, West Coast departure

**Grand European Cruise**, May 6-21

From \$2,595, New York departure

**Soviet Union River Cruise**, June 6-19

From \$2,900, New York departure

**Cambridge University-Adult Summer Study Program**,

July 9-22

\$1,825, plus air fare

**Canadian Rockies/Vancouver**, July 13-22

\$2,195, plus air fare

**Seine River Cruise**, August 10-22

\$3,295, New York departure

**Castles of Ireland**, October 2-11

\$1,995, New York departure

All prices quoted are price per person, assuming double occupancy.

For further information:

Office of Alumni and Parent Relations

Case Western Reserve University

120 Baker Building

Cleveland, Ohio 44106

216/368-3734



# Missing Persons

Please help! Listed below are graduates for whom the law school has no mailing address. Some are long lost; some have recently disappeared; some may be deceased. If you have any information—or even a clue—please call (216/368-3860) or write the Office of External Affairs, Case Western Reserve University School of Law, 11075 East Boulevard, Cleveland, Ohio 44106.

## Class of 1939

Thomas J. McDonough

## Class of 1940

Norman Finley Reublin

## Class of 1942

Peter H. Behrendt  
William Bradford Martin

## Class of 1943

David J. Winer

## Class of 1947

Robert H. Adler  
George J. Dynda

## Class of 1948

Hugh McVey Bailey  
Walter Bernard Corley  
Joseph Norman Frank  
Kenneth E. Murphy  
James L. Smith

## Class of 1949

Benjamin F. Kelly, Jr.  
Coleman L. Lieber

## Class of 1950

Oliver Fiske Barrett

## Class of 1951

Robert L. Quigley  
Donald Edward Ryan

## Class of 1952

Anthony C. Caruso  
John Reardon  
Allan Arthur Riippa

## Class of 1956

Edward R. Lawton  
Ray James Roche

## Class of 1957

Richard B. Sullivan

## Class of 1958

Leonard David Brown

## Class of 1961

James E. Meder  
Thomas A. Parlette

## Class of 1964

Ronald E. Wilkinson

## Class of 1965

Salvador y Salcedo  
Tensuan (LLM)

## Class of 1966

Robert F. Gould  
Gerald N. Mauk

## Class of 1967

Thomas F. Girard  
Donald J. Reino

## Class of 1969

Robert Sherwood Carles  
George E. Harwin  
Howard M. Simms

## Class of 1970

John F. Strong

## Class of 1971

Christopher R. Conybeare  
Michael D. Franke

## Class of 1972

Robert Dale Conkel  
(LLM)

## Class of 1973

Thomas A. Clark  
Thomas D. Colbridge

## Class of 1974

John W. Wiley

## Class of 1975

Gail I. Auster

## Class of 1976

A. Carl Maier

## Class of 1977

Sherman L. Anderson  
Maureen M. McCabe

## Class of 1978

Robert H. Grabner  
Marcus L. Poole  
Lenore M. J. Simon  
Jonathan S. Taylor

## Class of 1979

Corbie V. C. Chupick  
Carolyn C. Firmin  
Gregory Allan McFadden

## Class of 1980

Lewette A. Fielding  
John K. Hyvnr  
Donald R. Rooney, Jr.  
Shayne Tulskey Rosenfeld

## Class of 1981

Peter Shane Burleigh  
Luis A. Cabanillas, Jr.  
Harry Albert Davis  
Susan M. Lutz

## Class of 1982

Heather J. Broadhurst  
Mark A. Ingram  
Stephen A. Watson

## Class of 1983

Joseph Tock  
Mary Victoria White

## Case Western Reserve University

### Law Alumni Association

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Dallas, Texas



# Calendar of Events

## January 6

Luncheon—Association of American Law Schools  
New Orleans

## January 18

San Francisco Alumni Luncheon

## January 27

Los Angeles Alumni Luncheon

## February 10

Canton Alumni Luncheon

## February 17

Akron Alumni Luncheon

## February 24

Phlegm Snopes Basketball Tournament, Championship Game

## March 1

CWRU Alumni Reception—Columbus  
Speaker: Dean Peter M. Gerhart

## March 16-18

Niagara Moot Court Tournament, Cleveland

## March 29 and 30

Law-Medicine Center  
The Oliver C. Schroeder, Jr., Scholar in Residence  
Don Harper Mills, Past President, American Academy of  
Forensic Sciences

## April 1

Jonathan Ault Moot Court Competition, Final Round

## April 6 and 7

Stanley and Hope Adelstein Scholar in Residence  
Professor Joseph L. Sax, University of California, Berkeley

## April 8

Annual Banquet, Black Law Students Association

## April 14 to 16

Conference—Canada/U.S. Law Institute  
*Comparative Legal Aspects of the Environment in  
the Canada/U.S. Context*

## April 15

Dunmore Moot Court Tournament, Final Round

## May 5

West-of-Cleveland Alumni Luncheon, Elyria

## May 14

Commencement

## May 18

Ohio State Bar Association  
Alumni Reception—Toledo

## September 15 and 16

1989 Alumni Weekend—Class Reunions

For further information: Office of External Affairs  
Case Western Reserve University  
School of Law  
11075 East Boulevard  
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216/368-3860

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